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THE

ORDINANCES

OF THE

MAYOR AND CITY COUNCIL

OF BALTIMORE:

PASSED AT

THE JANUARY SESSION,

1845.

TO WHICH IS ANNEXED

THE ACTS OF ASSEMBLY

ESPECIALLY INTERESTING to THE CORPORATION and CITIZENS OF BALTIMORE,

PASSED AT DECEMBER SESSION, 1844:

A LIST OF

THE MEMBERS OF THE CITY COUNCIL,

AND

OFFICERS OF THE CORPORATION:

THE SUMMARY OF THE REGISTER,—AND THE ANNUAL REPORTS AND RETURNS OF THE OFFICERS OF THE CORPORATION.

Committee Room City Council

BALTIMORE:
PRINTED BY JAMES LUCAS.

1845.

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ORDINANCES

PASSED AT THE ANNUAL SESSION,

HELD JANUARY—1845.

No. 1.

A Supplement to an Ordinance entitled "An Ordinance to provide for the payment of the expenses of the Public Schools, and for the purchase of a building for the use of the High School"—approved March 11th, 1844.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the treasurer of the commissioners of public schools shall, before he enters upon the duties of his office, give bond to the corporation, with securities to be approved by the Mayor and Register, in the penal sum of five thousand dollars, conditioned for the true performance of the trust reposed in him, and the duties required of him by the commissioners of public schools, acts of assembly or ordinances of the city, passed or to be passed in relation to the public schools; and the bond shall be deposited with the Register for safe keeping.

Treasurer of the commissioners of public schools, to bond.

Bond to be approved by the Mayor and Register.

SEC. 2. *And be it enacted and ordained*, That all ordinances or parts of ordinances, inconsistent with the provisions of this supplement, be and the same are hereby repealed.

Approved Feb. 1, 1845. JACOB G. DAVIES, Mayor.

No. 2.

An Ordinance to change the name of Market street, Fell's Point, to that of Broadway.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the street heretofore called Market street, on Fell's Point, be hereafter called and known by the name of

Changing the name of Market-st., F. P., to Broadway.

"Broadway," any thing in any ordinance to the contrary notwithstanding, and that the city commissioners be requested to notice the alteration upon the plat of the city.

Approved Feb. 7, 1845. JACOB G. DAVIES, Mayor.

No. 3.

An Ordinance to change the name of Sugar Alley in the city of Baltimore.

Sugar alley changed to Little Church street.

Be it enacted by the Mayor and City Council of Baltimore, That the name of Sugar alley, running from Light street to the basin, be and the same is hereby changed, and shall hereafter be called and known by the name of "Little Church street," and the city commissioners are hereby authorised to make the above alteration on the plat of the city.

Approved Feb. 7, 1845. JACOB G. DAVIES, Mayor.

No. 4.

An Ordinance to change the name of Lerew's Alley in the city of Baltimore.

Lerew's alley changed to Tyson street.

Be it enacted by the Mayor and City Council of Baltimore, That the name of Lerew's alley, running from Saratoga street to Richmond street, be and the same is hereby changed, and shall be hereafter called and known by the name of "Tyson street," and the city commissioners are hereby authorised to make the alteration on the plat of the city.

Approved Feb. 7, 1845. JACOB G. DAVIES, Mayor.

No. 5.

A Supplement to an Ordinanee to provide for the appointment of Watchmen.

Southern district watch established.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore,* That in addition to the watch districts already established, there shall be one established, to be known and called by the name of the southern district, and that there shall be annually appointed, two captains and four lieutenants of the watch for the eastern district; two captains and four lieutenants of the watch for the middle district; two captains and four lieutenants of the watch for the western dis-

trict; and two captains and four lieutenants of the southern district.

SEC. 2. *And be it enacted and ordained*, That the Mayor be and he is hereby authorised to make such a division of the present middle and western districts, as to render the duties to be performed in the districts already established, and the one to be established, as nearly equal as practicable, and most conducive to the preservation of the peace, and safety of the city and its inhabitants.

Mayor to locate the district.

SEC. 3. *And be it enacted and ordained*, That the city commissioners, under the direction of the Mayor, be and they are hereby authorised and required to procure and provide a suitable building, in such location as may be selected by the Mayor, for a watch house in the southern district.

City commissioners to procure a suitable building.

SEC. 4. *And be it enacted and ordained*, That so much of the first section of the ordinance to which this is a supplement, as is hereby altered or supplied, be and is hereby repealed.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

No. 6.

An additional Supplement to an Ordinance entitled "An Ordinance for the appointment of High Constable, City Bailiffs, and for other purposes,"—approved May 23d, 1838.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That there shall be annually appointed as other city officers are now appointed, six city bailiffs and police officers in addition to those already provided for, to be located according to the discretion of the Mayor—who shall receive the same compensation as the present police officers and city bailiffs, and be subject to the conditions which are required of city bailiffs and police officers according to existing ordinances.

Six additional police officers appointed.

SEC. 2. *And be it enacted and ordained*, That it shall be the duty of the police officers, the officers of the watch, and the watchmen of the city, to adopt, under the direction of the Mayor, a cap or hat, by which they may at all times be known or distinguished when on duty at night; and that if after the passage of this ordinance, any police officer, or officers of the watch, or watchmen, shall appear on duty at night without said cap or hat, which shall have been adopted as a uniform for the corps, he or they shall be subject to a fine of not less than two nor more than five dollars, or removal at the discretion of the Mayor.

Duties prescribed.

SEC. 3. *And be it enacted and ordained*, That the city bailiffs and police officers at present provided for, and the six provi-

ded for by this ordinance, shall be responsible to the high constable, subject to the Mayor, for the performance of all the duties required of them by the ordinance to which this is an additional supplement, and that he (the high constable,) is authorised to suspend any of them, in his discretion, if they do not faithfully perform the duties required of them by the ordinance to which this is an additional supplement, subject to the future action of the Mayor.

SEC. 4. *And be it enacted and ordained*, That the fourth section of the ordinance to which this is an additional supplement, be and the same is hereby repealed.

Approved Feb. 23, 1845. JACOB G. DAVIES, Mayor.

No. 7.

A Supplement to an Ordinance relative to the Officers of the city.

Relative to city officers.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That any officer under this corporation, whose nomination has not been acted on finally, may be appointed at any time during the annual session, and he shall enter upon the discharge of the duties of his office on the day succeeding his confirmation, any thing in any ordinance heretofore passed to the contrary notwithstanding.

Approved Feb. 28, 1845. JACOB G. DAVIES, Mayor.

No. 8.

An Ordinance to provide for the opening of Eager street.

Relative to opening Eden street.

WHEREAS, Archibald Sterling and others have made application for the opening of Eager street, from Canal street to North street, and the notice of sixty days having been given in two of the daily newspapers of the city of Baltimore, in accordance with the provisions of the act of assembly in such case made and provided—therefore,

Duties commissioners.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners for opening streets be, and they are hereby authorised to open Eager street, from Canal street to North street, as designated on the plat returned by the extension commissioners, under the act of assembly of 1817, and filed in the office of the city commissioners; and that henceforth the said street so opened, shall be known and designated as Eager street.

SEC. 2. *And be it enacted and ordained*, That the said board of commissioners for opening streets shall proceed in all respects in opening of said street, agreeably to the provisions of the ordinance to provide for exercising certain powers vested in the corporation in relation to streets, approved March 9th, 1841, and shall receive the compensation therein provided; and the collector of the city shall perform such duties in relation to the opening of said street, as are provided in said ordinance; and the Register shall perform the duties required of him in said ordinance, and shall be allowed such compensation as said board of commissioners shall deem proper.

Duties collector.

Duties Register.

SEC. 3. *And be it enacted and ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost or charge relating to, or connected with the opening of said street.

City not to be responsible for costs.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

No. 9.

An Ordinance to provide for the payment of the expenses of the Public Schools, and to provide for the purchase of Apparatus for the Male High School.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the payment of the ordinary expenses of the public schools for the year 1845, a tax of four cents on every hundred dollars of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be and the same hereby is levied for the year 1845.

School tax.

SEC. 2. *And be it further enacted and ordained*, That the sum of five hundred dollars, or such portion of that amount as may be required, be and the same hereby is appropriated for the purchase, under the direction and control of the school commissioners, of apparatus required for teaching chemistry, astronomy, and natural philosophy in the male high school; said sum, or such portion as may be required, to be paid out of the school tax for 1845.

Commissioners to purchase apparatus for teaching chemistry.

SEC. 3. *And be it further enacted and ordained*, That the tax hereby levied and imposed, shall be collected and paid in the manner prescribed by the laws of the state, and by the ordinances of this corporation.

Approved March 15, 1845. JACOB G. DAVIES, Mayor.

No. 10.

An Ordinance to provide for a general Account to be kept by the Register with the City Collector, in relation to all Taxes levied by the Mayor and City Council of Baltimore.

Appeal tax court to furnish a statement of assessed value of property, to the Register.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That on the first Monday of March in each and every year, or as soon thereafter as the ordinances for levying all the taxes of the city for the current year shall have been passed, it shall be the duty of the appeal tax court to render to the Register in writing, the whole amount of assessable property on which said taxes have been levied; and it shall be the duty of the Register to charge the city collector in a general account, to be opened by him for that purpose, with the full amount of taxes levied.

City collector to be charged with amount of levy.

SEC. 2. *And be it enacted and ordained*, That it shall the duty of the appeal tax court to make a detailed written statement to the Register, on or before the third Monday in February in each and every year, shewing the amounts of the additional assessments made by them on which taxes have been levied for the preceeding year, and the Register shall thereupon charge the city collector in said general account, with the amount of taxes levied on said additional assessments.

SEC. 3. *And be it enacted and ordained*, That it shall be the duty of the Register to place to the credit of the city collector in said general account, all such sums of money as may have been collected and paid by him on account of said taxes so levied, and with the sum of all discounts, which may have been allowed by the city collector for prompt payment of taxes in accordance with the ordinance allowing deductions.

Appeal tax court to give a statement of abatement.

SEC. 4. *And be it enacted and ordained*, That it shall be the duty of the appeal tax court to make a detailed written report to the Mayor, on or before the third Monday in February in each and every year, shewing the amount of assessable property abated during the preceeding year, the names of the persons to whom abatements have been allowed, and the amount which is to be placed to the credit of the city collector for said abatements, the said report when approved by the Mayor, shall be filed in the office of the Register, who shall thereupon credit in said general account, the city collector for the preceeding year, with the amount of abatements so ascertained by the appeal tax court.

City collector to make report of unpaid taxes.

SEC. 5. *And be it enacted and ordained*, That it shall be the duty of the city collector to make a detailed written report of all the ordinary city taxes due and unpaid on the first Monday of March in each and every year, on all the levies of the preceeding year, with the names of the debtors, and of the unknown debtors, with the sum due by each debtor; the whole

amount of said dues when so stated to be given to the Register, whose duty it shall be to place the amount thereof to the credit of the city collector for the preceeding year, in said general account—all which said credits will then close the said general account for the preceeding year, as directed to be charged to the city collector to the Register, in the first and second sections of this ordinance.

Register to credit collector.

SEC. 6. *And be it enacted and ordained*, That it shall be the duty of the Register to charge the city collector in a new general account, with the said amount of taxes due and unpaid on the first day of March, on all the ordinary taxes of the preceeding year, as soon as the report of the city collector is made to the Register as directed in the fifth section of this ordinance; and in said new general account, the Register is to charge the city collector with all the taxes levied for the current year, as directed to be charged to the city collector in the first section of this ordinance.

SEC. 7. *And be it enacted and ordained*, That it shall be the duty of the city commissioners, whenever they shall have contracted for the paving or repaving of any of the streets, lanes and alley of the city, under and by virtue of the ordinance of the Mayor and City Council, and have assessed the cost of the same, to return in writing to the Register, the amount of said assessment, with the name of the street, lane and alley so assessed; and it shall also be the duty of said commissioners, to return in writing to the Register, the amount of assessment of all new pumps which they may from time to time have made and sunk in the city; and it shall be the duty of the Register thereupon to charge the city collector the amount of said assessments of paving, repaving and pump taxes, in accounts to be opened by him for that purpose; and it shall be the further duty of said Register, to credit said collector on said accounts, for all money and payments he may receive from time to time from said collector, on account of said paving, repaving, and pump taxes and assessments.

City commissioners to return statement of contracts for paving and repaving, &c.

Approved March 18, 1845. JACOB G. DAVIES, Mayor.

No. 11.

An Ordinance to regulate the construction of Awnings.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the twenty-first day of March instant, it shall not be lawful for any person or persons to construct or suffer to remain, any awning of wood or other material, over the footways of any street, lane or alley in the city of Baltimore, unless they are so constructed as to extend the

Relating to awnings.

whole width of the pavement, or be furnished with spouts to prevent the water from falling upon the footways, under a penalty of two dollars for the first offence, and one dollar for each and every day the same may remain thereafter, to be recovered as other fines and forfeitures are or may be recovered.

Penalty for violations.

Duty of police.

SEC. 2. *And be it enacted and ordained*, That before any fine shall be imposed under the provisions of this ordinance, it shall be the duty of some one of the police officers of the city, to give notice to the person or persons offending, to comply with the provisions of this ordinance, at least three days prior to the commencement of enforcing the penalty against him, her or them, on account of the infraction of these provisions.

Approved March 18, 1845. JACOB G. DAVIES, Mayor.

No. 12.

An Ordinance relating to the Public Schools.

Appointment of commissioners of public schools.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That fourteen persons, to be called the board of Commissioners of Public Schools, shall be appointed by the two branches of the city council in convention, in the month of January, in each and every year—one commissioner to be selected from each of the several wards of the city—and said commissioners shall continue in office for one year, and from the end of that time until a new board shall have been appointed.

SEC. 2. *And be it further enacted and ordained*, That said commissioners shall be convened by the Mayor within ten days next succeeding their appointment; and at their first meeting, or at some subsequent meeting held by special adjournment, they shall proceed to the election of a president from their own board, to be chosen by a majority of the votes of the whole body: and said president shall hold his office during the period prescribed by the first section of this ordinance. If a vacancy shall occur in the office of president, from death, resignation, or legal disability, it shall be the duty of the board to fill the same by a new election, as soon as can be conveniently done; and in all cases any eight of the commissioners shall constitute a quorum for the transaction of business.

Treasurer and secretary elected.

SEC. 3. *And be it further enacted and ordained*, That at the same time, and in the same manner as is prescribed in the second section of this ordinance for the election of a president, said commissioners shall elect a treasurer and a secretary, and assign the duties to be performed by them, and shall

fix the salary of each at such a sum as said commissioners may deem equivalent to the services required. The tenure of office of said treasurer and secretary, and the mode of filling a vacancy or vacancies, should such occur, from death, resignation, removal, or legal disability, shall be the same as is provided for in the second section of this ordinance in relation to the president of the board. The treasurer shall be chosen from the board of school commissioners.

Duties prescribed.

SEC. 4. *And be it further enacted and ordained*, That whenever a vacancy or vacancies shall occur in the board of school commissioners, during the sessions of the city council, it shall be the duty of the president of the board to inform the Mayor of such vacancy or vacancies, who shall communicate the same to the First and Second Branches of the City Council, who shall proceed to form a convention according to their respective rules, to fill said vacancy or vacancies. If a vacancy or vacancies shall occur during the recess of the sessions of the city council by death, resignation, or otherwise, it shall be the duty of the board to fill the same as soon as may be convenient.

Vacancies filled.

SEC. 5. *And be it further enacted and ordained*, That the treasurer shall, before he enters on the duties of his office, give bond to the corporation, with securities to be approved by the Mayor and Register, in the penal sum of five thousand dollars, conditioned for the true and faithful performance of the trust reposed in him, and of the duties required of him by the school commissioners, acts of assembly, or ordinances of the city, passed or to be passed, in relation to the public schools; and the bond shall be deposited with the Register, for safe keeping.

Treasurer to bond.

SEC. 6. *And be it further enacted and ordained*, That said board of school commissioners shall have charge of the public schools of the city of Baltimore now in operation, and of all such as may be in operation during their continuance in office; and it shall be their duty to employ teachers and determine their salaries; to prescribe the courses of study, and the books to be used; to make all such by-laws for their own government, and all such rules and regulations for the management of the schools, as they may deem to be expedient, and to modify and repeal the same at their pleasure—provided, that such by-laws, rules and regulations, so made or modified, be not inconsistent with the laws of the State, or with the ordinances of the city.

Duties of commissioners prescribed.

SEC. 7. *And be it further enacted and ordained*, That it shall not be lawful for said school commissioners to purchase any property, erect any building, or rent or lease any property for a longer term than one year, without having first obtained the sanction of the Mayor and City Council.

SEC. 8. *And be it further enacted and ordained*, That it shall be the duty of the commissioners to furnish all necessary books and stationery for the pupils of the several schools, and in general whatever fuel or other supplies the schools may require, the same to be paid for from the public school fund; and each pupil shall pay in advance one dollar per quarter on entering a school, and the same advance payment for each subsequent quarter during his or her continuance in the school, unless exempted therefrom by the board; and no pupil above the age of fourteen years shall be admitted unless by special permission of the board.

SEC. 9. *And be it further enacted and ordained*, That the draft of the president of the board of school commissioners, countersigned by the Mayor, shall be sufficient authority for the Register of the city to pay any sum that may be standing in the treasury of the city, to the credit of the public school fund.

Commissioners to receive bequests.

SEC. 10. *And be it further enacted and ordained*, That said commissioners are hereby authorised to receive all devises, bequests and donations which may be made for the benefit of said public schools; and shall pay the same over to the Register of the city, to be applied under their direction, with the sanction of the Mayor and City Council, agreeably to the conditions which may be prescribed.

Register's duty.

SEC. 11. *And be it further enacted and ordained*, That the Register of the city shall demand and receive from time to time, from the treasurer of the Western Shore of Maryland, from the commissioners of finance, and from the collector of the city, all such sum or sums of money as may be in their hands for the support of the public schools of the city of Baltimore; and he shall place the same to the credit of the public school fund.

Commissioners may rent portions of Assembly Rooms, &c.

SEC. 12. *And be it further enacted and ordained*, That the cellar and saloon of the building known by the name of Assembly Rooms, shall be under the direction of said school commissioners, and may be rented by them for the benefit of the public schools, until such time as the high school or other public schools may require their use; provided, that the cellar shall not be rented to any person or persons for the purpose of selling oysters or liquors.

Commissioners to report annually.

SEC. 13. *And be it further enacted and ordained*, That it shall be the duty of the board of school commissioners, to report, on the first Monday of January in each and every year, to the Mayor and City Council, a statement of its transactions with an account of the receipts and expenditures of the past year; and an estimate of the expenditures and resources for the year then commenced.

Repeal of former ordinances.

SEC. 14. *And be it further enacted and ordained*, That all ordinances and resolutions heretofore passed in relation to the

public schools, except an ordinance passed during the present session, entitled "An ordinance to provide for the payment of the expenses of the public schools, to provide for the purchase of apparatus for the male high school," be and the same are hereby repealed.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

No. 13.

An Ordinance to change the name of Apple Alley to that of Bethel-st.

Name of Apple alley changed to that of Bethel street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the alley heretofore called Apple alley, on Fell's Point, be hereafter called and known by the name of Bethel street, any thing in any ordinance to the contrary notwithstanding, and the city commissioners be and they are hereby directed to notice and correct the alteration upon the plat of the city.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

No. 14.

An Ordinance authorising the erection or purchase of a School House.

Commissioners of public schools authorised to sell bank stock.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners of public schools be and they are hereby authorised to sell and dispose of or hypothecate the stock in the Farmers' and Merchants' Bank, or so much thereof as may be required for the purchase of a building, or for the purchase of a lot and the erection of a building thereon, for the accommodation of the Western Female High School and of Female Primary School No. 1—provided, that the building so purchased or erected for the purposes aforesaid shall be in the vicinity of Public School No. 1, at the corner of Green and Fayettee streets.

Proceeds to be paid to the Register, subject to the order of the commissioners.

SEC. 2. *And be it further enacted and ordained*, That when any such sale or sales or hypothecation of said bank stock shall have been effected for the purchase or erection of the building defined in the first section of this ordinance, it shall be the duty of the Mayor, at the request of the commissioners aforesaid, to transfer the same to the purchaser thereof, or to the party or parties to whom it may be hypothecated—provided, that the nett proceeds of the sale or sales or hypothecation of said stock shall be paid over to the city Register, who is hereby authorised to pay it from time to time to the

school commissioners, in such sum or sums as may be required to pay for said building so purchased, or for said lot so purchased and said building so erected thereon.

Approved April 4, 1845. JACOB G. DAVIES, Mayor.

No. 15.

Supplement to an Ordinance entitled, "An Ordinance to regulate the several Markets in the city of Baltimore."

Limits of Hanover and Bel-Air markets.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the limits of the Hanover Market shall include the market house, with the space in the centre thereof; the alleys to the northward and westward thereof; and also the whole width of Hanover street, from Lombard to Barre street; and of Camden street, from Charles street to Howard street.

SEC. 2. *And be it enacted and ordained*, That the limits of the Belle-Air Market shall include the market house, and the space on each side thereof; and Forest street from the market space eastwardly to Douglass street; and from the market space westwardly to Hillen street; and the width of Hillen street northwardly to Monument street,—the limits of the said markets to be subject to the provisions as regards footways, as is prescribed by the first section of the ordinance to which this is a supplement, in relation to the Centre market.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

No. 16.

Supplement to an Ordinance entitled, "An Ordinance for restraining Gaming, and licensing and regulating Theatrical and other public Exhibitions, within the city of Baltimore," approved May 22d, 1838.

Relative to ten pin alleys.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That it shall not be lawful for any person or persons to erect, set up, keep, maintain, or in any respect whatever, use for amusement or entertainment within the city, any nine or ten pin alley, or device or structure in or upon which one or more pins are set up for the purpose of casting, throwing, pushing or rolling against such pin or pins one or more balls or other missiles, unless he, she or they shall have obtained from the Mayor a license for such alley, device or structure in the manner and upon the terms herinafter prescribed.

SEC. 2. *And be it enacted and ordained*, That there shall be annually paid for each license, for each and every such alley, device or structure which is or may be erected, set up, kept, maintained, or in any respect whatever used for amusement or entertainment, within the limits of direct taxation, the sum of fifty dollars, and out of the limits of direct taxation, twenty-five dollars.

All ten pin alleys required to be licensed.

SEC. 3. *And be it enacted and ordained*, That if any proprietor or proprietors of any such alley, device or structure, shall suffer or allow any person or persons to play upon or use in any manner whatever, such alley, device or structure after eleven o'clock at night, he, she or they, as the case may be, shall forfeit and pay ten dollars for each and every such offence.

Not to be used after 11 o'clock, at night.

SEC. 4. *And be it enacted and ordained*, That if any person or persons shall erect, set up, keep, maintain or in any respect whatever use for amusement or entertainment within the city of Baltimore, any nine or ten pin alley, or any other device or structure, in or upon which one or more pins are set up for the purpose of casting, throwing, pushing or rolling against such pin or pins, one or more balls or other missiles, without having obtained a license therefor, in the manner prescribed by this supplementary ordinance,—such person or person shall forfeit and pay a penalty of twenty dollars for each and every day such person or persons may so offend.

Penalty for omitting to license.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

No. 17.

An Ordinance to open Eden Lane.

WHEREAS, William R. Jones and others, have made application for the opening of Eden lane from Eden street to Canal street, as laid down on Poppleton's plat, and the notice of sixty days having been given in two of the daily newspapers of the city of Baltimore, in accordance with the provisions of the act of assembly in such case made and provided: Therefore,

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners for opening streets be, and they are hereby authorised to open Eden lane, from Eden street to Canal street, as designated on the plat returned by the extension commissioners under the act of assembly of eighteen hundred and seventeen, and filed in the office of the city commissioners, and that henceforth the said lane so opened shall be known and designated as Eden lane.

Commissioners for opening streets, authorised to open Eden Lane.

SEC. 2. *And be it enacted and ordained*, That the said board of commissioners for opening streets, shall proceed in all re-

spects, in the opening of said lane, agreeable to the provisions of the ordinance to provide for exercising certain powers vested in the corporation in relation to streets, approved March 9, 1841, and shall receive the compensation therein provided; and the Collector of the city shall perform such duties in the relation to opening of said street as are prescribed in said ordinance; and the Register shall perform the duties required of him in said ordinance, and shall be allowed such compensation as said board of commissioners shall deem proper.

Duties of collector and Register.

City not to be liable for costs.

SEC. 3. *And be it enacted and ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost or charge relating to, or connected with the opening of said lane.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

No. 18.

An Ordinance to provide for the establishment of a Market for the sale of Cows and other neat cattle.

Cow market established.

SECTION. 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That from and after the tenth day April next, it shall not be lawful for any person or persons to expose or offer for sale in any of the streets, lanes or alleys of the city of Baltimore any cow, cows or other neat cattle; and that any person or persons offending therein shall forfeit and pay a sum not exceeding two dollars, nor less than fifty cents for each and every offence, to be recovered as other fines and forfeitures now are or may be recovered.

City commissioners to enclose a lot.

SEC. 2. *And be it enacted and ordained*, That the city commissioners be, and they are hereby directed to enclose such part of the lot belonging to the city, near the Penitentiary, as may be required, and provide such fixtures as may be deemed necessary as a place for the exposure to sale of such cows or other neat cattle as may be brought to, and as may be exposed to, and offered for sale.

Penalty for muzzling calves.

SEC. 3. *And be it enacted and ordained*, That whenever cows with calves may be exposed or offered, and it may be necessary to confine one or the other with cords or otherwise, the calf only shall be confined, and any person or persons so exposing and offering to sale such cow and calf, or cows and calves, who shall muzzle or tie with a string or strings, the mouth or mouths of such calf or calves, to prevent it or them from drawing from the cow or cows the natural and accustomed food, such person or persons shall forfeit and pay a sum not exceeding three dollars, nor less than one dollar; to be

recovered as all other fines and forfeitures now are or may be recovered.

SEC. 4. *And be it enacted and ordained*, That the owner or owners of any cow or cows, with or without calves, or any other neat cattle, shall pay to such person as shall be appointed to receive the same, the sum of twelve and a half cents on each and every head of cattle so exposed or offered for sale, or which may be taken to the lot enclosed for that purpose: provided that no charge shall be made for a calf or calves when accompanied with a cow or cows.

Clerks appointed.

Duties prescribed.

SEC. 5. *And be it enacted and ordained*, That some suitable person shall be annually appointed as other city officers are now appointed, whose duty it shall be to put in force the penalties prescribed by this ordinance, and to collect the dues from the owner or owners, or the agent or agents of the owner or owners of such cow, cows or other neat cattle as shall be offered and exposed to sale as aforesaid, and pay the same to the city register for the use of the city, who is hereby directed to allow to such person for his trouble in collecting it fifty per centage of the amount so collected.

SEC. 6. *And be it enacted and ordained*, That the city commissioners be, and they are hereby authorised to draw upon the Register for such sum of money as may be required to carry into effect the provisions of this ordinance: provided that the same shall not exceed seventy-five dollars.

Approved Aprtl 10, 1845. JACOB G. DAVIES, Mayor.

No. 19.

An Ordinance to provide for the closing of a part of Tyson street, in the city of Baltimore.

Relative to closing part of Tyson alley.

WHEREAS, the Baltimore Academy of the Visitation, a body coporate, and others, have made application to close up that part of Tyson street, formerly Lerew's alley, which runs between the grounds of the said Academy fronting on Park street, and those fronting on Howard street; which application being reasonable, and the notice thereof having been given as required by the acts of assembly in such case made and provided, therefore,

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners for opening streets in the city of Baltimore, be and they are hereby authorsed and required to close and shut up all that part of Tyson street between Monument and Centre streets; provided that before said commissioners for opening streets shall proceed to close said portion of said street, said commissioners shall ob-

tain in writing, the consent of each and every one of the owners of the ground binding on Tyson street, on the square bounded by Centre, Monument, Park and Howard streets, to the closing of said portion of said street, and said commissioners shall deposit said written consent, for perservation, in the office of the city commissioners.

Duties of commissioners prescribed.

SEC. 2. *And be it enacted and ordained*, That in all matters connected with the closing of said part of Tyson street, the said commissioners shall proceed according to, and be governed by the provisions of the act of assembly, passed March 23, 1839, and of the ordinance entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the city of Baltimore," approved on the 9th March, 1841; and all others officers of the city shall in like manner conform thereto, and perform the duties required by the said ordinance in similar cases, and the said commissioners shall make provision by the construction of a sewer or gutter, to carry off the water decending said street, from above, to Centre street; and the said sewer or gutter shall forever be kept open and in repair, at the cost and charge of the said Academy, and the owners and proprietors binding on the same.

SEC. 3. *And be it enacted and ordained*, That it shall and may be lawful, any thing in this ordinance to the contrary notwithstanding, for the Mayor and City Council of Baltimore at any time hereafter, when, in their opinion the public welfare or convenience may require it, to reopen said portion of said Tyson street, so by this ordinance directed to be closed, and the same to lay out and use as a public highway, (in accorance with the provisions of the acts of assembly provided therefore;) provided, that before the Mayor and City Council of Baltimore proceed to execute said reopening of said portion of said street, at least sixty days notice shall be given of any application which may be made for the passage of any ordinance so to reopen said portion of said street, by advertisement in at least two of the daily newspapers in the city of Baltimore.

SEC. 4. *And be it further enacted and ordained*, That all the assessments of benefits arising from said closing of said portion of said street, over and above the damages, shall be paid by the commissioners for opening streets into the city treasury; and all damages for said closing of said portion of said street, shall be assessed by the commissioners for opening streets, on the owner or owners of the property to whom the bed of the street shall revert.

SEC. 5. *And be it enacted and ordained*, That it shall never be lawful, under any circumstance, for any owner or owners of the property bounding on said portion of said street so to be closed, to build or cause to be built, or to allow any person or persons to build any house, building or tenement on or

over the bed of said portion of said street so proposed to be closed.

SEC. 6. *And be it enacted and ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost or charge relating to or connected with the closing or reopening of said part of said street.

City not liable for expenses.

Approved April 11, 1845. JACOB G. DAVIES, Mayor.

No. 20.

An Ordinance providing for the extension of Fayette street.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners for opening streets, be and hereby are authorised and required to extend Fayette street, easterly from the east side of Gay street, in the following manner, to wit:—the north side of Fayette street so extended, shall commence at the north west corner of Augustus Mathiot's brick house, standing on the east side of Gay street; and shall run thence easterly, and parallel with Baltimore street, until it strikes the west side of Frederick street; then commence on the east side of Frederick street at the southwest corner of the late Charles Torrence's three story brick house, and run thence easterly, and parellel with Baltimore street, until it strikes the west side of Harrison street, there commence at the north west corner of Robert Howard's lot, and run thence easterly, and parallel with Baltimore street to Jones' falls; and thence in a straight line, until it strikes the line of the north side of Pitt street; and the south side of Fayette street, so extended shall commence at the northwest corner of James Wilson's brick house, on the east side of Gay street, and run thence easterly and parallel with Baltimore street to Frederick street; there commence at the northwest corner of Joseph Jamison's brick house, and run thence easterly and parallel with Baltimore street, until it strikes the west side of Harrison street, there commence at the northwest corner of Richard P. Sherwood's brick house, and run easterly and parallel with Baltimore street, and bounding on said Richard P. Sherwood's lot to Jones' falls, and running thence in a straight line until it strikes the line of the south side of Pitt street.

Relative to opening Fayette street.

Duties of commissioners prescribed.

SEC. 2. *And be it further enacted and ordained*, That the common name of Fayette street so extended, and of Pitt street, so united with Fayette street so extended, shall be Fayette street, and that the city commissioners be, and are hereby directed to notice the alteration upon the plat of the city.

SEC. 3. *And be it further enacted and ordained*, That the said board of commissioners shall proceed in all respects in the extension of said street, in conformity with the provisions of the ordinance to provide for exercising certain powers vested in the corporation in relation to streets, approved March 9th 1841, and shall receive the compensation therein provided; and the Collector of the city shall perform like duties in relation to opening said street, as are provided in said ordinance; and the Register shall perform the duties required of him by said ordinance, and shall be allowed such compensation as the said board of commissioners shall deem proper; provided that the commissioners shall not assess for said extension of Fayette street, any property in Baltimore street.

Duties of collector and Register.

City not to be liable for any expenses.

SEC. 4. *And be it further enacted and ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost, or charge or part, or parts thereof relating to, or connected with the extension of said street, except for the building of a bridge over Jones' falls, and for the assessments of benefits on property owned and held by the city of Baltimore.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

No. 21.

An Ordinance to provide for the Encouragement of Trade, in the city of Baltimore.

Baltimore and Ohio R. R Co. permitted to construct a branch of their road, to the south side of the basin.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Rail Road Company be, and they are hereby authorised to construct and lay down and keep in repair a branch of their road, with one or two tracks, to some point on navigable water on the south side of the basin, within the limits of the city, between Hughes' Quay and Fort McHenry; and in the location and construction of the same, the said company shall be permitted to adopt such grades and curves as may enable them advantageously to use locomotive engines thereon: *Provided* that no grade of any street, already graded and paved, shall be altered or interfered with, except under the direction of the city commissioners, so far as may be necessary in the laying of the rails on the same: *And provided*, that the whole be under such salutary regulations as the city authorities may, from time to time, prescribe: *And provided also*, that the moving power on said branch road does not exceed four miles per hour.

Certain articles only to be transported on said road.

SEC. 2. *And be it enacted and ordained*, That the articles to be transported upon said branch road, shall be confined to coal, iron, iron ore, stone, plaster, lime, and other earths and

minerals; and that all of the above described articles shall be exempted from wharfage, dockage, or any other charges on the part of the city, or on the part of the Baltimore and Ohio Rail Road Company, except the port tonnage established by the law of Congress, for the term of twenty years, and for so much longer term as the Mayor and City Council shall, at any time thereafter, deem it proper to grant.

Exempt from wharfage.

SEC. 3. *And be it enacted and ordained*, That the said company shall have power to construct, at the termination of said branch of their road on tide water, such wharves as they may require for their own use:—*provided* the wharf property used belonging to the city, does not exceed in extent two hundred front feet: and the said company shall have power to extend their said rail road upon said wharves out to such depth of water as may be required:—*provided*, it shall not be extended to any point beyond the port wardens' line, as now established.

Company may construct wharves.

SEC. 4. *And be it enacted and ordained*, That the Baltimore and Ohio Rail Road Company be, and they are hereby authorised to construct and lay down, and keep in repair a branch of their road, with one track, from Pratt street down Concord street, or from Pratt street down the Falls avenue, or any other more practicable route to the city block, or to the present Baltimore and Ohio Rail Road Company's depot, by crossing the falls at or between Alice Anna and Pratt streets, and from thence, with the privilege of continuing east, along Alice Anna street and Wilk street to Canton, or to any private wharf or wharves on Fell's Point, by the consent of the proprietors thereof.

Company authorized to construct a branch road from Pratt-st., to any part of Fell's Point.

SEC. 5. *And be it enacted and ordained*, That the following articles that may be transported upon the said branch road, granted by the fourth section of this act, on any road now laid down in that direction, when used by the Baltimore and Ohio Rail Road Company, viz: Coal, iron, iron ore, stone, plaster, lime and other earths, and all other minerals, shall be exempted from wharfage, dockage, or any other charges on the part of the city, except the port tonnage established by the law of Congress, and on the part of the Baltimore and Ohio Rail Road Company, except the charges paid to other companies, for the term of twenty years, and for so much longer term as the Mayor and City Council shall, at any time thereafter, deem it proper to grant.

Certain articles exempted from wharfage

SEC. 6. *And be it enacted and ordained*, That all the powers and privileges granted by the first and second sections of this act, shall be extended to the Baltimore and Ohio Rail Road Company on any track now laid down, or on any branch road that may be hereafter laid down by this act, or on any road now laid down in that direction, when used by the Baltimore and Ohio Rail Road Company, east of Mount Clare

Certain privileges granted to said company, subject to "*salutary regulations.*"

depot; subject, however, to the same salutary regulations by the city authorities, as prescribed by the first section of this act: *Provided* that the company does not occupy any greater space of the city wharf at the city block, than may be equal in width or front, to the lots now occupied by the company under deed from the city, on Lancaster street, free of wharfage, on the articles specified by the fifth section of this act: *Provided, also,* that the steam power over the railway tracks down Pratt street to the city block, be used between the hours of nine o'clock at night and five o'clock in the morning, from the first of November, till the first of April, and between the hours of nine o'clock at night, and four o'clock in the morning from the first of April till the first of November; and that a man be required to walk in advance of the steam engine in passing through the streets on all occasions.

SEC. 7. *And be it enacted and ordained,* That the Baltimore and Ohio Rail Road Company shall be held responsible for all damages done to property in the laying down of the rails contemplated to be laid down by virtue of this ordinance; and they shall also be held responsible for all damages done to the life or limbs, or property of others, caused by the passage of their locomotive or locomotives through the streets of the city, when resulting from the negligence of their agents.

SEC. 8. *And be it enacted and ordained,* That upon all occasions shall the locomotive engines, in passing through the city, use coal or coke for fuel for steam.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 22.

An Ordinance relating to the Museum.

Annual license to Baltimore Museum

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore,* That in lieu of the daily tax now paid by the proprietor of the Baltimore Museum, there shall annually hereafter be paid by said proprietor or proprietors into the city treasury the sum of four hundred and fifty dollars, which said sum shall be paid to the Register quarterly in advance.

SEC. 2. *And be it enacted and ordained,* That any thing in any ordinance heretofore passed, contrary to the provisions of this, be and the same is hereby repealed.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 23.

An Ordinance to change the name of Madison street, from Eutaw street to the north west boundary line of the city, to that of Madison avenue.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That that part of Madison street, from Eutaw street to the north-west boundary line of the city, be hereafter called and known as Madison Avenue; any thing in any ordinance to the contrary notwithstanding; and that the city commissioners be required to notice the alteration upon the plat of the city. Name of part of Madison street changed

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 24.

An Ordinance to provide for the payment of sundry expenses of the City Court of Baltimore, and for the City Poor in the Alms House of Baltimore city and county.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the sum of two and a half cents on every hundred dollars worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be and the same is hereby levied and imposed for the year eighteen hundred and forty five, for the payment of the salaries of the Associate Judges of Baltimore city court, and all the expenses incurred in the administration of justice therein, as said expenses shall be ascertained and certified under the authority of said court. City court and city poor tax.

SEC. 2. *And be it further enacted and ordained*, That the sum of two and a half cents on every hundred dollars worth of the same property, and in like proportion for any greater or less amount, be and the same is hereby levied and imposed for the year eighteen hundred and forty five, for defraying the expenses of the city poor in the alms house of Baltimore city and county, as the said expenses shall be ascertained and certified by the trustees of the poor of Baltimore city and county—provided, the said trustees account annually with the Mayor and City Council of Baltimore, for the disbursement of all monies received by them in virtue of their trust from the corporation of Baltimore, for the use of the poor of said city.

SEC. 3. *And be it further enacted and ordained*, That the taxes hereby imposed, shall be collected and paid in the manner prescribed by the laws of the state, and the ordinances of the city of Baltimore; and the Register of the city shall pay to the two associate judges of the city court, their salaries,

and shall also pay the expenses of the court, and expenses of the city poor, and the several respective officers and persons who may be entitled to receive the same.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 25.

An Ordinance to provide for the payment of the Interest of Loans obtained by the city for the purposes of prosecuting the works of Internal Improvements.

Internal improvement tax.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That for the payment of the interest on loans obtained by the city for the purpose of prosecuting the works of internal improvements, for the year eighteen hundred and forty-five, a tax of thirty-one cents shall be and is hereby levied and imposed on every hundred dollars worth of property within the city of Baltimore, and in like proportion for any greater or less sum, as said property shall have been assessed, and the said tax shall be laid and collected in the same manner as is now provided for in respect to other taxes by the acts of assembly and ordinances of the corporation.

SEC. 2. *And be it further enacted and ordained*, That the tax thus levied and collected shall be applied to the payment of the interest on loans obtained by the city for the purpose of prosecuting the works of internal improvements.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 26.

An Ordinance to lay and collect a Direct Tax for the year eighteen hundred and forty-five.

Direct tax.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That for the year eighteen hundred and forty five, a direct tax of twenty-five cents shall be and is hereby levied and imposed upon every hundred dollars value of property in the limits prescribed by the commissioners appointed by the Governor and council under the first section of an act of the General Assembly of the state of Maryland, passed at December session, 1830, chapter 139, and in proportion for an greater or less sum, as said property shall have been assessed, pursuant to an act of assembly, passed at the extra session of the legislature of Maryland, 1841, chapter 23,

entitled "An act for the general valuation and assessment of property in this state, and to provide a tax to pay the debts of the state;" and the said direct tax shall be collected and paid in the manner prescribed by the acts of assembly and ordinances of the city.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 27.

An Ordinance to lay and collect a direct tax for the repairs of Highways and Bridges, in certain parts of the city of Baltimore.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That for the year eighteen hundred and forty five, a direct tax of five cents shall be and the same is hereby laid and imposed on every hundred dollars of assessed value of all houses and lands in the city of Baltimore, lying without the limits of direct taxation and within the exterior limits of the city, and in proportion for a greater or less sum, and the said direct tax shall be laid and collected in the same manner as is now provided with respect to other direct taxes which the Mayor and City Council are now authorised to impose, and the tenants in possession shall be liable to the payment of said tax upon the premises so occupied by them, without its operating, however, to alter the nature of contracts between landholders and tenants. Highway & bridge tax.

SEC. 2. *And be it enacted and ordained*, That the tax thus levied and collected, shall be expended under the direction of the city commissioners, with the approbation of the Mayor, for the purpose of making and repairing such of the public highways and bridges within the limits, subject to the present assessment, as they shall deem most important to the public necessity and convenience, unless otherwise directed by ordinance or resolution—provided, however, that no greater sum than two hundred dollars shall be appropriated to the erection of any one bridge within the limits aforesaid, any thing in any ordinance to the contrary notwithstanding.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 28.

An Ordinance to provide for the payment of certain expenses of the Courts, Coroners, Jail, &c. &c.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and forty-five, County court tax.

the sum of four cents on every hundred dollars worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be and the same is hereby levied and imposed for the payment of the expenses of Baltimore county court, and orphans' court, sitting on city business for the removal of causes, payment of coroners, expenses of elections, repairing of court house and premises, salary of keeper, expenses of the jail, Baltimore city's part of the levy for the colonization of negroes, levy for the court house, required by the act of December session 1834, chapter 151, payment of the Register under the ordinance approved April 6th, 1829; and the said tax shall be collected and paid in the manner prescribed by the laws of the state and the ordinances of the city.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 29.

An Ordinance to provide for the removal of the Horse Market.

Removal of horse market.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, it shall be unlawful for any person or persons to expose for sale, within the limits of any market, or in any street within one square thereof, in the city of Baltimore, any horse, mare or gelding, and that any person or persons offending against these provisons, shall forfeit and pay for each and every offence, a sum not exceeding five dollars, to be recovered as other fines and forfeitures now are, or may be recovered.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 30.

An Ordinance providing for the appointment of a Keeper of Franklin Square.

Keeper of Franklin square to be appointed.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That there shall be annually appointed as other city officers are now appointed, a keeper of Franklin square, and that the board of health, with the approbation of the Mayor, shall have power to make rules and regulations for the protection of the grounds, trees and fence, and other matters therewith connected, and the government of the persons who may frequent the same, and any person of-

fending against such rules and regulations, shall be liable to a penalty of not exceeding five dollars for each offence.

SEC. 2. *And be it enacted and ordained*, That the Register, with the approbation of the Mayor, be, and he is hereby authorised to pay small sums, from time to time, to the keeper of the said square, for the purchase of tools, utensels, &c. to keep the establishment clean and in good order; provided they shall not exceed ten dollars per annum.

SEC. 3. *And be it enacted and ordained*, That there shall be annually appropriated the sum of one hundred dollars, as a compensation to said keeper.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 31.

An Ordinance to change the name of Peach alley to that of Sarah Ann street.

Name of Peach alley changed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the alley heretofore called Peach alley, running west from Pearl street to Chatsworth street, be hereafter called and known by the name of Sarah Ann street, any thing in any ordinance to the contrary notwithstanding, and that the city commissioners be requested to notice the alteration upon the plat of the city.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 32.

An additional Supplement to an Ordinance entitled, "An Ordinance to lay out a Public Square in the north western section of the city of Baltimore," 1839, No. 47.

Supplement to an ordinance relating to Franklin square.

WHEREAS, a doubt has arisen with regard to the meaning and design of the first section of the ordinance No. 32, of the last session of the City Council; therefore, in order to remove that doubt:

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That nothing in the first section of the ordinance, passed at the last session of the City Council, entitled "A supplement to an ordinance entitled an ordinance to lay out a public square in the northwestern section of the city of Baltimore," No. 32, shall be so construed as to prevent the erection of houses of not less than twenty-four feet front, and depth not less than forty feet, or less than three stories

high, in any of the streets binding on Franklin square, opposite to any of the sides of said square, according to the true intent and meaning of the provisions contained in the ordinance to which this is an additional supplement, any thing in the ordnance of the last session of the City Council aforesaid to the contrary notwithstanding.

Trees to be planted, &c.

SEC. 2. *And be it enacted*, That the city commissioners be, and they are hereby directed to have five feet in width of the footway around Franklin square on Fayette, Calhoun, Lexington and Carey streets paved with bricks, and trees planted near the curb stones on these streets, at suitable distances apart, and that there be appropriated the sum of one thousand dollars, or so much thereof as may be required to carry these provisions into effect, to be taken out of the appropriation for internal improvements.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

No. 33.

An Ordinance for the erection of a House of Refuge.

Register to borrow $10,000 for erection of a house of refuge.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Register be and he is hereby authorised to borrow on account of the corporation of Baltimore, the sum of ten thousand dollars, bearing an interest not exceeding six per centum per annum, and reimbursable at the pleasure of the city. The said sum of ten thousand dollars to be applied, under the direction of the city commissioners, to the erection of a House of Refuge upon a portion of the grounds now occupied by the alms house of the city and county of Baltimore.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

No. 34.

A Supplement to an Ordinance entitled, "An Ordinance to appoint City Commissioners and Port Wardens, and to prescribe their duties."

Duties of city commissioners prescribed, relative to paving and repaving streets

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That it shall hereafter be the duty of the city commissioners in making their annual report to the Mayor and City Council, to furnish a statement of the several streets, lanes and alleys, or parts thereof that have been paved or repaved during the year, together with the names of the contractors, the sum per square foot paid for paving or repaving, as the case may be, and also to state explicitly whether all the

provisions of the ordinances relating to paving and repaving, and the duties therein required of the city commissioners have been complied with.

SEC. 2. *And be it enacted and ordained*, That the supplement to an ordinance to appoint city commissioners and port wardens and to prescribe their duties, approved March 10, 1842; and also the 13th and 14th, sections of an ordinance entitled, an ordinance as above, approved May 22, 1838, be and the same is hereby repealed; provided that nothing in this ordinance shall be construed to prevent the owners of a majority of them from contracting for the paving of any new street, under the directions of the city commissioners as heretofore directed.

Authority to make private contracts for re-paving, repealed.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

No. 35.

An Ordinance to provide for cleaning the Streets, Lanes and Alleys in the city of Baltimore.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the board of health be, and they are hereby authorised and directed, with the approbation of the Mayor, to employ as many men, horses and carts, and provide such implements as may be necessary for cleaning and effectually keeping in good order and free from nuisance the streets, lanes and alleys within the city.

Board of health to employ persons to clean streets, &c.

SEC. 2. *And be it enacted and ordained*, That the board of health aforesaid shall devide the city into as many districts as they may find necessary, not exceeding six in number, and apportion a sufficient number of men, horses and carts to each district; and shall appoint one capable man out of each gang as leader or director, which leader so appointed shall be required to keep a correct account of the number of days' labor performed by each man in his gang, also of the number of loads of manure or dirt removed by each horse and cart, and the place where such manure or dirt has been deposited, and render such account, under oath, to the board of health, on Monday of each and every week, for which additional service said leader or director shall be paid twenty-five cents per day over and above the amount paid to the other hands.

City to be divided into districts.

Returns for sale of manure.

SEC. 3. *And be it enacted and ordained*, That the board of health shall have full power and authority to require the city bailiffs and police officers to aid and assist them in carrying into effect the provisions of this ordinance.

City police to assist board of health.

SEC. 4. *And be it enacted and ordained*, That there shall be annually appropriated such an amount of money as may be

Appropriation.

necessary, not exceeding seven thousand dollars, to carry into effect the provisions of this ordinance, which money so appropriated, with the amount obtained from the sales of manure, shall be subject to the order of the board of health, countersigned by the Mayor.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

No. 36.

An Ordinance fixing the Rents of the Stalls in the several Market Houses, in the city of Baltimore.

Rent of stalls regulated.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That from and after the expiration of the term for which the stalls in the several market houses in the city are now rented, the following annual rents shall be imposed and required to be paid, in quarterly payments, viz :— In the upper Centre market house, the butcher's stalls shall be at a rent of thirty two dollars, the permanent benches on the west side six dollars, and on the east side four dollars, and the eave benches four dollars. In the middle and lower market houses, the butcher's stalls shall be at a rent of sixteen dollars, the permanent benches on the west side six dollars, and on the east side four dollars, the eave benches four dollars; provided that in renting the stalls in the lower market house under the provisions of this ordinance, the Register be, and he is hereby authorised to credit the persons who have heretofore paid the stall rents under the provisions of the ordinance relating to this market house, with the amount so paid, and to charge the rents as provided in this ordinance, and all arrears of stall rent in said market house shall in like manner be charged under the provisions of this ordinance.

SEC. 2. *And be it enacted and ordained*, That in the two lower, or easternmost Lexington market houses, the butcher's stalls shall be at a rent of twenty dollars; the permanent benches four dollars, and the eave benches two dollars. In the upper or westernmost Lexington market house, the butcher's stalls shall be at a rent of sixteen dollars; the permanent benches four dollars, and the eave benches two dollars. In the Hanover market house, the butcher's stalls in that part fronting Hanover and Camden streets, and on market alley as far west as the cart way, shall be at a rent of eighteen dollars, and the remaining butcher stalls in said market house at a rent of sixteen dollars, the permanent benches three dollars, and the eave benches two dollars.

SEC. 3. *And be it enacted and ordained*, That in the Bel-air market house, the butcher stalls shall be at a rent of sixteen

dollars, the permanent benches three dollars, and the eave benches two dollars. In the upper and lower market houses at Fell's Point, the butcher's stalls shall be at a rent of twenty dollars, the permanent benches three dollars, and the eave benches two dollars—provided, that the rents of the butcher's stalls in the upper market house, shall not take effect under the provisions of this ordinance, until a new market house shall be put up on the ground occupied by the present upper market house.

SEC. 4. *And be it enacted and ordained*, That the power and authority heretofore vested in the Mayor, in regard to the market rents, be and the same is continued over the rents of all stalls, benches and stands, in the several markets which are not enumerated in this ordinance. Mayor authorized.

Approved April 28, 1845. JACOB G. DAVIES, Mayor.

No. 37.

A Supplement to an Ordinance entitled, "An Ordinance to provide for the encouragement of Trade in the city of Baltimore"—passed at the session of 1845.

WHEREAS, doubts have arisen as to the true intent and meaning of the ordinance to which this is a supplement; and whereas, such doubts are calculated to embarrass the action upon said ordinance, and to defeat the ends had in view by the councils in its passage. Therefore, Relative to Baltimore and Ohio R. R. Co.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That it is the true intent and meaning of the ordinance to which this is a supplement, that the Baltimore and Ohio Rail Road Company be, and are authorised to transport over the tracks therein named, all articles of trade and merchandise whatsoever, and that such articles only as are therein specified are allowed to be shipped free from charge, as specified in said ordinance.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 38.

An Ordinance to authorise the Baltimore and Susquehanna Rail Road Company to use Steam Engines within the limits of the city of Baltimore.

Susquehanna R. R. Co. permitted to use steam engines within the city, on certain conditions.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Susquehanna Rail Road Company be, and they are hereby authorised to use their steam engines on the rail track, from the Bolton depot, to the depot of said company, situated on city block, for the transportation of coal, plaster, lime, limestone, iron, iron ore and other minerals and earths; *provided*, that the rate of travel of said engines on said track, shall not exceed four miles per hour. And provided further, that the steam power over the railway track, hereby granted to be used by the Baltimore and Susquehanna Rail Road Company, to their depot on the city block, be used between the hours of nine o'clock at night, and five o'clock in the morning; and that a man be required to walk in advance of the steam engine with a lighted lantern, in passing through the streets, from the Belvidere depot, in North street, to their depot on the city block.

Certain articles exempted from wharfage

SEC. 2. *And be it enacted and ordained*, That the articles authorised by the preceding section to be transported on the track of the Baltimore and Susquehanna Rail Road Company, from their depot at Bolton, to that on the city block, shall be exempted from wharfage, dockage, or any other charges on the part of the city, and on the part of said rail road company, excepting the port tonnage established by act of Congress, for and during the term of twenty years, and for such further term as the Mayor and City Council of Baltimore may thereafter determine.

Engines to use coal or coke only, as fuel.

SEC. 3. *And be it enacted and ordained*, That upon all occasions shall the locomotive engines in passing through the city, use only coal or coke for fuel.

Company to be liable for damages, in certain cases.

SEC. 4. *And be it enacted and ordained*, That the Baltimore and Susquehanna Rail Road Company shall be held responsible for all damages done to property, in the laying down of the rails contemplated to be laid down by virtue of this ordinance; and they shall be also held responsible for all damages done to life, limbs, or property of others, caused by the passage of their locomotive engines through the streets of this city, when resulting from the negligence of their agents.

SEC. 5. *And be it enacted and ordained*, That this ordinance shall not be so construed as to prevent the transportation by steam upon said rail road, of any articles not enumerated above, provided such articles shall not be exempted from the usual expense for wharfage, dockage, or other charge now made by law.

SEC. 6. *And be it enacted and ordained*, That all ordinances and parts of ordinances, inconsistent with this ordinance, be and they are hereby repealed.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 39.

An additional Supplement to an Ordinance to preserve the Health of the city.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That there shall be annually appointed after the manner in which other city officers are appointed, one commissioner of health, and one city physcian, which officers so appointed shall, together with the health officer constitute a board of health; and it shall be the duty of said board, so organized, to carry into effect all ordinances for the preservation of the health of the city.

Commissioner of health appointed, and their duties prescribed.

SEC. 2. *And be it enacted and ordained*, That the said board of health shall meet twice in each week throughout the year, and at such other times as they may be called together by the Mayor, or by the requisition of any member of the board, or as may be determined on by their own adjournment. At all such meetings the city physcian shall preside, and it shall be the duty of each member of the board, at all such meetings, to report his separate official acts, which, together with proceedings of the board, shall be accurately recorded by the commissioner of health.

SEC. 3. *And be it enacted and ordained*, That it shall be the duty of the commissioner of health to attend to all the duties of the health office, and for that purpose, shall attend at the office of the board, from nine o'clock, A, M. until one o'clock P. M. every day, Sundays excepted, and for so much longer time as may be necessary to enable him properly to discharge the duties of keeping a faithful record of all matters relating to the health of the city, as prescribed by the ordinances now in force; to receive all reports from the police officers and all others, so far as they refer to the duties of the health department; to enforce all the ordinances for the preservation of the health of the city; and to decide all appeals from the reports of the police officers, by a personal examination of the premises in all cases of dispute.

SEC. 4. *And be it enacted and ordained*, That it shall be the duty of the city physcian to make a circuit of observation once in every week, to every part of the city and its environs, which from its location or from any collateral circumstances, may be the cause of disease, and in all cases where he may

discover the existence of any morbific agent, the presense of which will prove dangerous to the health of the city, he shall cause any ordinance in existence for its correction to be enforced ; or if there be no ordinance competent to the correction of the evil, he shall make a full report of all the attending circumstances to the Mayor, accompanied with his opinion as to the necessity of extraordinary or particular action. It shall be his duty also, to make diligent inquiry into all cases of malignant, infectious or contageous diseases which may occur, and cause immediate measures to be taken to arrest their progress, and generally, to notice all things that relate to the preservation of the health of the city; and it shall further be the duty of the city physician to attend at the health office every morning at nine o'clock, to ascertain the existence of any matter which may demand his attention.

SEC. 5. *And be it enacted and ordained*, That it shall be the duty of the health officer, in addition to such duties as are required of him by existing ordinances, to attend such meetings of the board of health as he may be requested to attend by either the Mayor or the president of the board; inform the board of any thing demanding the attention of the department; and advise with the city physcian on all subjects particularly appertaining to the sanatory regulations of the maritine.

Police officers to execute orders of the commissioner of health.

SEC. 6. *And be it enacted and ordained*, That it shall be the duty of the police officers of this corporation to execute all orders of the board of health, or of any member thereof, so far as they refer to the preservation of the health of the city ; and it shall be the duty of the police officers of the several wards of the city, to make a daily inspection and report every morning to the commissioner of health, and to enforce all ordinances for the preservation of the health of the city.

Salaries.

SEC. 7. *And be it enacted and ordained*, That there shall be annually appropriated as a compensation to the commissioner of health, the sum of eight hundred dollars, and as a compensation to the city physician, the sum of four hundred dollars,

SEC. 8. *And be it enacted and ordained*, That all ordinances and parts of ordinances, inconsistent with the provisions of this ordinance, be and they are hereby repealed.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 40.

An Ordinance making Appropriations for the year eighteen hundred and forty-five.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the following sums be, and they are hereby appropriated for the year eighteen hundred and forty-five: Annual appropriations.

For the payment of interest on the stock debt of the city, exclusive of issues for the purposes of internal improvements, and also for repairs of court house, the sum of twenty-three thousand three hundred and eighty dollars and ninety-five cents.

For deepening and improving the harbor, twenty thousand dollars.

For repairs of paved streets, eight thousand dollars.

For repairs of unpaved streets, six hundred dollars.

For repairs of public wharves, eight hundred dollars.

For repairs of bridges, fifteen hundred dollars.

For repairs of sewers, five hundred dollars.

For repairs of pumps, four thousand five hundred dollars.

For removal of nuisances, nine hundred dollars.

For new fire plugs, seven hundred dollars.

For repairs of fire plugs and cisterns, six hundred dollars.

For erection and removal of lamps, five hundred dollars.

For city's proportion of repaving streets, ten thousand dollars.

For diary of the City Council, six thousand dollars.

For flag and stepping stones, eight hundred dollars.

For paving and repaving cross streets, sixteen thousand dollars.

For health department, three thousand dollars.

For cleaning streets, seven thousand dollars, in addition to the sum that may be received from the sale of manure.

For watching and lighting the city, including the purchase of ground and building a watch house in the southern district, sixty thousand dollars.

For printing, incidentals and stationery, two thousand seven hundred dollars.

For editors of newspapers, three hundred dollars.

For ground rent on city property, six hundred and seven dollars.

For water rent, Centre Fountain, four hundred and fifty dollars.

For water rent, Centre, Lexington and Hanover markets, and at the City Hall, seventy dollars.

For fuel at the City Hall, two hundred and fifty dollars.

For interest, payable to Wm. McDonald, ninety dollars.

For widows and orphans of those who died in defence of the city in 1814, as prescribed by resolution, approved 1st April, 1826, five hundred and fifty dollars.

For annual appropriations to fire companies, eight thousand five hundred dollars.

For expenses of elections, per ordinance, two hundred dollars.

For insurance of city property, one hundred and fifty dollars.

For dispensary, for taking care of lost children, fifty dollars.

For annual appropriation to the general dispensary, four hundred dollars.

For annual appropriation to the eastern dispensary, three hundred dollars.

For incidental expenses of police office, one hundred and thirty dollars.

For incidental expenses of springs and public walks, forty dollars.

For keeping in repair town clock and alarm bell, ninety-five dollars.

For support of lunatic paupers in Maryland hospital, twelve hundred dollars.

For magistrates for attending at police office, including balance due, ninety-one dollars and sixty-seven cents.

For compensation to police officers, out of fines, one hundred and fifty dollars.

For Baltimore and Chesapeake Steam Towing Company, as required by ordinance No. 35, passed 1843, two thousand five hundred dollars.

For the salary of the Mayor, two thousand dollars.

For the salary of the secretary to the mayoralty, six hundred dollars.

For the salary of the Register, fifteen hundred dollars.

For the salary of the deputy Register, seven hundred and fifty dollars.

For the salary of the clerk to the Register, five hundred dollars.

For the salary of the city counsellor, seven hundred dollars.

For the salary of the Collector of the city and State taxes, two thousand dollars, payable quarterly—provided that the city collector pay into the city treasury the commissions, if any, which he may receive for collecting the State taxes.

For the salary of eight assistant collectors and book keepers, each six hundred dollars, payable monthly, four thousand eight hundred dollars.

For printing and incidentals for the city collector's office, five hundred dollars.

For taking up swine, five hundred dollars.

For repairs of Belvidere bridge, six hundred and sixty-six dollars and twenty cents.

For lamp, &c., at battle monument, eighty-five dollars.

For the salary of the health officer, five hundred dollars.

For the salaries of the city commissioners and port wardens, each eight hundred hundred dollars, two thousand four hundred dollars.

For the salary of the clerk to the city commissioners, seven hundred and fifty dollars.

For the salary of the keeper of the powder magazine, four hundred dollars.

For the salaries of the keepers of the city springs, each two hundred dollars, six hundred dollars; and one hundred dollars additional to the keeper of the eastern spring, including the preservation of the trees.

For the salary of the keeper of the public walk, one hundred and fifty dollars.

For the salary of the clerk of the Centre market, four hundred dollars.

For the salary of the assistant clerk of the Centre market, three hundred dollars.

For the salary of the clerk of the Lexington market, three hundred and fifty dollars.

For the salary of the assistant clerk of the Lexington market, two hundred and fifty dollars.

For the salary of the clerk of the Hanover market, three hundred dollars.

For the salary of the clerk of the Belle Air market, three hundred dollars; and also, eighty-three dollars and thirty-four cents, (including balance due) for assisting in the collection of per diem rents, at the Centre market.

For the salary of the clerk of the Fell's Point market, three hundred dollars.

For the salary of the clerk of the Richmond market, seventy-five dollars.

For the salary of the clerk of the Hollins market, fifty dollars.

For justices of the night watch, each one hundred dollars,—in all, three hundred dollars.

For the salary of the high constable, seven hundred and fifty dollars.

For the city bailiffs and police officers, (twenty-one,) each four hundred and eighty dollars per annum; in all, the sum of ten thousand and eighty dollars.

For the salaries of the assessors of tax, each seven hundred dollars,—making in all, fourteen hundred dollars.

For the judges of the appeal tax court, each one hundred dollars; in all, three hundred dollars—and eighty dollars for incidental expenses.

For the salary of the keeper of Franklin square, one hundred dollars.

For a bridge over Jones' falls, to connect Pitt and Fayette streets, two thousand five hundred dollars, or so much thereof as may be necessary.

SEC. 2. *And be it enacted and ordained*, That all ordinances or parts of ordinances inconsistent herewith, be and the same are hereby repealed.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 41.

A Supplement to an Ordinance making Appropriations for eighteen hundred and forty-five.

Appropriation for salaries of commissioner of health.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the following sums be appropriated in addition to the monies already appropriated.

For the salary of the commissioner of health, eight hundred dollars.

For the salary of the city physician, four hundred dollars.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 42.

An Ordinance in relation to Fire Companies, in the city of Baltimore.

Special appropriations to certain fire companies.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the following sums of money be and they are hereby appropriated for the use and benefit of the various fire companies, viz: the Mechanical fire company, the sum of six hundred dollars; the Friendship five hundred dollars; the Deptford two hundred and ninety-two dollars and fifty cents; the Liberty, seven hundred and fifty dollars; the Vigilant, three hundred and twenty dollars; the United, two hundred and twenty-one dollars.

Companies required to execute an agreement, relative to the admission of minors, &c.

SEC. 2. *And be it enacted and ordained*, That no fire company shall be entitled to any appropriation from the Mayor and City Council of Baltimore, until it shall have filed with the Register of the city of Baltimore, a written pledge or agreement not to admit minors as members of such company after the passage of this ordinance; that such company in its corporate capacity will be liable for all damages in all cases of altercation between its members and the members of one or more fire companies, where any apparatus belonging to a fire company shall be injured or destroyed; and that the officers and mem-

bers thereof, shall by all means in their power, prevent breaches of the peace, riots, disturbances, and false alarms of fire.

Condition of payment.

SEC. 3. *And be it enacted and ordained*, That the appropriation of money hereby made, shall, as respects the companies agreeing to the terms of this ordinance, be paid by the Register of the city of Baltimore, to the presidents of the said companies, who shall cause the same to be applied in the payments of the debts due by the said companies, in purchasing, repairing, and keeping in good order the engines and fire apparatus of the said company as may arise in keeping in order their respective engine houses, and paying the ground rent on the same.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 43.

An Ordinance to lay and collect a Direct Tax for the use of the State, for the year eighteen hundred and forty-five.

State tax, 1845.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of twenty-five cents on every hundred dollars of assessable property within the city of Baltimore, and in like proportion for any greater or less amount according to the value thereof, as assessed and valued and corrected by the appeal tax court, pursuant to an act of assembly passed at the extra session, eighteen hundred and forty-one, entitled "An act for the general valuation and assessment of property in the state, and to provide a tax to pay the debts of the state," be and the same is hereby imposed, to be collected and accounted for, at the time, and in the manner, and by the collector provided for by the acts of assembly, in such funds as the said collector shall be authorised by the treasurer of the western shore to receive.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 44.

A Supplement to an Ordinance entitled, "An Ordinance to provide for exercising certain powers vested in this corporation, in relation to Streets, in the city of Baltimore,"—approved March 9th, 1841.

Compensation to clerk of commissioners for opening streets.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the compensation of the clerk to the commissioners for opening streets, employed in conformity with the provisions of section 4, ordinance No. 10,

approved March 9, 1841, and performing the duties prescribed in said ordinance, shall be the same as that of said commissioners; to wit: two dollars per day for every day he shall be necessarily employed in performing the duties required of him by said ordinance.

SEC. 2. *And be it further enacted and ordained*, That any thing contained in said ordinance, or in any ordinance inconsistent with the provisions of this ordinance, be, and the same is hereby repealed.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 45.

An Ordinance to change the name of Morris alley, running parallel with Madison and Gibson streets, to that of Morris street.

Name of Morris alley changed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That Morris alley, running in a parallel line with and between Madison and Gibson streets, be hereafter called and known as Morris street,—any thing in any ordinance to the contrary notwithstanding, and that the city commissioners be required to notice the alteration on the plat of the city.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 46.

A further Supplement to an Ordinance entitled, "An Ordinance to provide for the prompt collection of Taxes, by the sale of Real Estates;" approved March 9th, 1841.

Register to refund to purchasers of real estate, sold for taxes, the purchase money, in certain cases.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Register be, and he is hereby authorised and directed to refund to the purchasers of real estate the purchase money under any sales made, or to be made hereafter by any collector of tax for the city of Baltimore, for arrearages of taxes where the opinion of the city counsellor shall be given that the sale ought not to have been made by reason of the irregularity or other defectiveness of the assessment of said taxes, or other informality of said sale.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 47.

An Ordinance to close up Asbury street.

Relative to closing Asbury alley.

WHEREAS, Christian Keener and Isaac Tyson, Jr, have presented to the Mayor and City Council a certified copy of an act of the General Assembly of Maryland, authorising Christian Keener and Isaac Tyson, and others, property holders, to close up Asbury street, passed December session, 1843. In the second section thereof, the law is referred to the Mayor and City Council with reference to a law in relation to streets, passed December session, 1838, chapter 226, dated 23d March, 1839, and the notice of sixty days having been given in two of the daily newspapers of the city of Baltimore, in accordance with the provisions of said law; therefore,

Duties of commissioners, &c.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the commissioners for opening and closing streets be, and they are hereby authorised to close up Asbury street, extending from Baltimore street to Pratt street, excepting that part of Asbury street lying and being in the bed of Hollins street, Goodloe street and Cary street, as noticed in the plat returned by the extension commissioners, under the act of assembly, 1817, and filed in the office of the city commissioners, and that henceforth the said street shall be forever closed.

SEC. 2. *Be it enacted and ordained*, That the said board of commissioners for opening and closing streets, shall proceed in all respects in the closing of said street, agreeably to the provisions of the ordinance to provide for exercising certain powers vested in the corporation in relation to streets, approved March 9th, 1841, and shall receive the compensation therein provided; and the collector of the city shall perform such duties in relation to the closing up of said street, as are prescribed in said ordinance, and the Register shall perform the duties required of him in said ordinance, and shall be allowed such compensation as said board of commissioners shall deem proper.

SEC. 3. *And be it further enacted and ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost or charge relating to, or connected with the closing up of said Asbury street.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

No. 48.

A Supplement to an Ordinance entitled, "An Ordinance to regulate the several Markets in the city of Baltimore."

Register to issue licenses for sale of sausages, &c., in the several markets.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the twentieth day of May, it shall not be lawful for any person to sell or offer for sale within the limits of any of the markets in the city, any of the articles composed principally of meats, generally known and designated as puddings and sausages, without having first obtained from the Register, who is hereby authorised to grant the same, a license for which he shall receive the sum of five dollars, to expire on the first day of May of every year, and all persons offending against this ordinance, shall forfeit and pay the corporation a penalty of five dollars for each market day they may attend, to be recovered as other fines and forfeitures are recovered, and it shall be the duty of the market masters, at the several markets of the city, to see that the provisions of this ordinance is complied with and enforced; provided that the provisions of this ordinance shall not apply to the butchers selling under a license in the inside of the market house; and provided also that it shall not apply to farmers selling such articles, the produce of their farms.

Approved May 9, 1845. JACOB G. DAVIES, Mayor.

RESOLUTIONS

PASSED AT THE ANNUAL SESSION,

HELD JANUARY—1845.

1. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby directed to pay out of any money in the treasury not otherwise appropriated, to the Baltimore Eastern Dispensary, the sum of three hundred dollars, ($300,) and to the board of managers of the Baltimore General Dispensary, the sum of four hundred dollars, ($400,) for the use of said institutions.

Appropriation to general and eastern dispensaries.

Approved Feb. 1, 1845. JACOB G. DAVIES, Mayor.

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2. *Resolved by the Mayor and City Council of Baltimore,* That the city commissioners be, and they are hereby directed to round and ditch that part of Bond street lying between Pitt and Hampstead streets, and draw on the Register for the sum of thirty dollars, out of any money in the treasury not otherwise appropriated.

Repairs of Bond street.

Approved Feb. 6, 1845. JACOB G. DAVIES, Mayor.

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3. *Resolved by the Mayor and City Council of Baltimore,* That the sum of thirteen hundred and one dollars and seven cents, with the amount of interest due thereon, be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of refunding a loan made by Jesse Hunt to city commissioners, 13th November, 1844.

Return of money loaned to the city.

Approved Feb. 13, 1845. JACOB G. DAVIES, Mayor.

Taxes erroneously paid, refunded.

4. *Resolved by the Mayor and City Council of Baltimore*, That Aaron Levering, collector of the city of Baltimore, is hereby authorised to prepare a list of such persons as paid in mistake, thirty-three cents instead of thirty cents, an the assessed levy for internal improvements of 1844, and deposite it with the Register of the city, who is hereby authorised to pay to each claimant on said list, the amount which was overpaid; provided the aggregate amount of said overpaid taxes, does not exceed one hundred and fifty-one dollars and fifty-six cents.

Approved Feb. 13, 1845. JACOB G. DAVIES, Mayor.

Payment to C. R. Carroll.

5. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay Charles R. Carroll, forty-three dollars and sixty-two cents, for taxes overpaid, out of any money in the treasury not otherwise appropriated.

Approved Feb. 13, 1845. JACOB G. DAVIES, Mayor.

Payment to J. Mittan.

6. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to John Mittan, the sum of six dollars and ninety-three cents, out of any money in the treasury not otherwise appropriated.

Approved Feb. 13, 1845. JACOB G. DAVIES, Mayor.

Appropriation for removal of snow and ice.

7. *Resolved by the Mayor and City Council of Baltimore*, That the sum of two hundred and fifty dollars be, and the same is hereby appropriated, to be expended under the direction of the Mayor, in cleaning the snow and ice from the gutters and cross streets.

Resolved, That the Register be, and he is hereby directed to pay the above sum of two hundred and fifty dollars, or so much thereof as may be required, to the order of the Mayor.

Approved Feb. 14, 1845. JACOB G. DAVIES, Mayor.

Payment to Mrs. McMechen, and N. Brice.

8. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to Mrs. Ellen B. McMechen, thirty-seven dollars and seven cents; and

to Nicholas Brice, Esq., seventeen dollars and sixty-seven cents, for taxes overpaid—out of any money in the treasury not otherwise appropriated.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

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9. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to Henry Most, the sum of twenty dollars, out of any unappropriated money in the treasury, the same being in full of bill for services rendered in fitting up and cleaning the room of the First Branch.

Payment to Henry Most.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

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10. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to George A. Hughes, twenty-one dollars and thirty-four cents, being for taxes overpaid by him, out of any money in the treasury not otherwise appropriated.

Payment to G. A. Hughes.

Approved Feb. 15, 1845. JACOB G. DAVIES, Mayor.

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11. *Resolved by the Mayor and City Council of Baltimore*, That the Register pay out of any money in the treasury not otherwise appropriated, the sum of two hundred and fifteen dollars and nine cents, being the amount of bills for carpeting and repairs in the chambers of the two branches of the City Council.

Appropriation for repairs of council chambers.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

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12. *Resolved by the Mayor and City Council of Baltimore*, That David Emerick be, and he is hereby authorised to make an addition to a frame building, by raising a few feet on one gable end, occupied by him on Pennsylvania avenue,—provided that his petition, together with the assent of the property holders adjourning, be filed in the office of the city commissioners.

D. Emerick permitted to enlarge frame building.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

Payment of expenses of joint committee to Washington.

13. *Resolved by the Mayor and City Council of Baltimore*, That the Register pay out of any unappropriated money in the treasury, the sum of thirty-six dollars, being the amount of the expenses of the committee charged with the memorial to Washington, on the subject of Sollers' Point Flats.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

Memorial to congress.

14. *Resolved by the Mayor and City Council of Baltimore*, That the counsellor for the city be, and he is hereby requested to prepare a respectful memorial to Congress, asking an appropriation and other necessary action for the erection of defensive works at Sollers' Point Flats; and that said memorial be signed by the Mayor and the presidents of both branches of the City Council, and transmit the same to our representatives in Congress, and that they be requested to use their best exertions to forward the proposed improvement, and that a committee of two be appointed by the presidents of the respective branches of the councils to proceed to Washington to assist in pressing the importance of the passage of said law upon Congress.

Approved Feb. 19, 1845. JACOB G. DAVIES, Mayor.

Memorial to the legislature

15. *Resolved by the Mayor and City Council of Baltimore*, That the counsellor for the city be, and he is hereby directed to prepare a memorial to the General Assembly of Maryland, praying for the passage of a supplement to the act entitled "an act to provide for the extension of Bel-Air market space in the city of Baltimore, authorising the condemnation of the property embraced within the following description, for the purpose of extending the Bel-Air market space, viz: beginning for the southwestermost side of said contemplated extension, at a point on the northwest side of north Gay street, where the southwest side of the present Bel-Air market space, if extended, would intersect the northwest side of north Gay street, and running northwesterly with the same range of the said market space, until it intersects the southwest side of Forrest street, and thence with the southwest side of Forrest street to the southernmost intersection of Forrest and Hillen streets; and beginning for the northeastermost side of said contemplated extension, at a point forty feet northeasterly on the northwest side of north Gay street, from where the northeastermost side of the present market space, would intersect the said northwest side of north Gay street, if extended, and running thence northwesterly until it intersects the southeasterly side

of Hillen street, at a point one hundred and sixty feet from the southeastermost corner of Forrest and Hillen streets.

Resolved, That said memorial when prepared, be signed by the Mayor of the city of Baltimore, and the presidents of the two branches of the City Council, and be forwarded to the delegates of the city of Baltimore at Annapolis.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

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16. *Resolved by the Mayor and City Council of Baltimore*, That the sum of one hundred dollars be, and the same is hereby appropriated, to be expended under the supervision of the city commissioners, for the construction of a bridge across Harford run, Broadway, with stone abutments two feet thick and four feet high, with wooden floor twenty feet wide and twelve feet span, and that the Register be, and he is hereby authorised to pay the same to the city commissioners, or so much thereof as may be necessary for the construction of said bridge, out of the appropriation for highways and bridges. Bridge across Harford run.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

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17. *Resolved by the Mayor and City Council of Baltimore*, That Hugh Gelston be, and he is hereby permitted to extend his wharf at Hughes' street to the port wardens' line—provided, that before such extension be commenced, the port wardens shall ascertain and establish, at the expense of the party making the application, the exact location of the permission hereby granted; and provided, that the wharf so extended shall conform, as near as possible, to the wharf adjoining, known as Trego wharf—and provided also, that in the erection or extension of said wharf, the Mayor and City Council shall not be taxed for any expense or charge incurred in its erection or extension. Hugh Gelston permitted to extend his wharf.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

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18. *Resolved by the Mayor and City Council of Baltimore*, That the Mayor and presidents of the two branches, send a memorial to, and request the delegates of the city of Baltimore to obtain the repeal of an act supplementary to an act entitled "an act for the weighing of anthracite coal, and for the measuring of bituminous coal," passed at December session, 1837, Memorial to the legislature

ch. 316, which act was passed the 13th day of February, 1845.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

Remonstrance to the legislature.

19. *Resolved by the Mayor and City Council of Baltimore*, That we respectfully remonstrate against the adoption by the General Assembly of this state, of the proposition now before that body, of dividing this city into twenty wards.

Resolved, That a copy of the above resolution, signed by the Mayor and the presidents of both branches of the council, be sent to the senator and each delegate from this city in the General Assembly, and that the said senator and delegates be requested to oppose such a division, in case its adoption should be attempted.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

Railing at Belvidere bridge.

20. *Resolved by the Mayor and City Council of Baltimore*, That the sum of thirty dollars be, and the same is hereby appropriated, to be expended under the supervision of the city commissioners, for the construction of a railing at the Belvidere bridge, and that the Register be, and he is hereby directed to pay over the same to the city commissioners, or so much thereof as may be necessary, out of the appropriation for highways and bridges.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

Payment to R. Colvin.

21. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Miss Rachel Colvin, twenty-four dollars and fifty cents, being for taxes overpaid by her, out of any money in the treasury not otherwise appropriated.

Approved Feb. 27, 1845. JACOB G. DAVIES, Mayor.

Payment to G. W. Williamson.

22. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to George W. Williamson, sixty-nine dollars and six cents, for taxes paid by him on the Baltimore and Ohio Rail Road stock

for 1842, out of any money in the treasury not otherwise appropriated.

Approved March 6, 1845. JACOB G. DAVIES, Mayor.

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23. *Resolved by the Mayor and City Council of Baltimore*, That the Register be and he is hereby authorised to pay to Robert Graves, seventy-five dollars and twenty-one cents, it being for money by him expended in repairs made upon the crane on the city block, to be taken out of any money in the treasury not otherwise appropriated.

Payment to Rob't Graves.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

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24. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Sellman & Cook, out of any money in the treasury not otherwise appropriated, twenty-four dollars and fourteen cents, being for this sum overpaid by them as taxes on the Baltimore and Ohio Rail Road stock.

Payment to Sellman & Crook.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

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25. *Resolved by the Mayor and City Council of Baltimore*, That Z. Skinner and Son be, and they are hereby authorised to erect a shed and mould loft on their ship yard, on the south side of the basin—provided, that their petition, together with the assent of the property holders adjoining, be filed in the office of the city commssioners—and provided also, that the same building shall be removed at any time by them at their expense when the Mayor may direct.

Z. Skinner & Son permitted to erect a frame shed.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

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26. *Resolved by the Mayor and City Council of Baltimore*, That the city counsellor be requested to prepare a memorial to the General Assembly of this state, requesting the passage of an act to provide for such a reorganization of the city court of this city, as will produce a more economical administration of justice in that court.

Memorial to the legislature relative to the city court.

Resolved, That copies of said memorial, when prepared, shall be signed by the Mayor and presidents of both branches

of the council, and together with copies of the communication from the chief justice of the city court, shall be transmitted to our senator and delegates in the house of delegates, requesting them to employ their best endeavours to procure the adoption of the measure proposed.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

Payment to J. M. Frederick.

27. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby authorised to pay to John M. Frederick, out of any money in the treasury not otherwise appropriated, the sum of ninety-seven dollars and fifty cents, he having paid this amount in his own wrong, in obtaining a license to keep a ten pin alley.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

Payment to John Eschback.

28. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby authorised to pay to John Eschback, out of any money in the treasury not otherwise appropriated, the sum of six hundred and eighty dollars and thirty-eight cents, being for paving done on the property of the city.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

Payment to S. O. Hoffman and others.

29. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby authorised to pay to S. Owings Hoffman, one hundred dollars and sixty-one cents; to George M. Rodgers, eight dollars and thirty-one cents; to M. Courtney Jenkins, eight dollars and twenty-nine cents; to Samuel Hoffman, two hundred and eleven dollars and eighty-eight cents; being for taxes improperly paid by them on the stock of the Baltimore and Ohio Rail Road Company.

Approved March 8, 1845. JACOB G. DAVIES, Mayor.

Protest against the passage, by the legislature, of the stamp act.

30. Whereas, it appears from the journal of the House of Delegates of Maryland, that body has recently reconsidered and passed an act known as the stamp act, after striking out the second section which made it of a general character, and retaining those portions of said act which bear heavily and al-

most exclusively upon the city of Baltimore; and whereas the enactment of this law, in the opinion of the Mayor and City Council of Baltimore, would be highly oppressive and injurious to the interests of our city, and would be a violation of the plain provisions of the bill of rights, which declares that the burdens of the State shall be equally distributed and borne by all the inhabitants of the State,—Therefore,

Resolved by the Mayor and City Council of Baltimore, That the passage of the act now before the Senate, known as the Stamp Act, would be highly oppressive, unjust and injurious to the city of Baltimore, is in violation of the bill of rights of the state; and will if passed, be productive of evils which the legislature can neither remedy or remove.

Resolved, That the Mayor be requested to send a copy of this resolution to our senator in the state legislature, with directions to present the same to the consideration of that body immediately.

Approved March 12, 1845. JACOB G. DAVIES, Mayor.

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31. *Resolved by the Mayor and City Council of Baltimore*, That the attorney and counsellor of the city be requested to prepare a lease, and procure the execution of the same, in accordance with resolution No. 89 of the last annual session of the council.

City counsellor to prepare a certain lease.

Approved March 13, 1845. JACOB G. DAVIES, Mayor.

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32. *Resolved by the Mayor and City Council of Baltimore*, That Michael Gross be, and he is hereby authorised to make an addition to frame building on his lot, situated between Madison and Ross streets, near Biddle street; provided that the frame building to be erected, shall be removed when the Mayor and City Council may so direct; and provided that he first obtain the consent of the owners of the adjoining property and file the same with the city commissioners.

Michael Gross permitted to enlarge frame building.

Approved March 12, 1845. JACOB G. DAVIES, Mayor.

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33. *Resolved by the Mayor and City Council of Baltimore*, That Abrams & Cooper be and they are hereby permitted to extend their wharf on Fell's Point, known as Despeaux wharf, to the port wardens' line; provided that before such extension be commenced, the port wardens shall ascertain and establish

Abrams & Cooper permitted to extend wharf.

said line, at the expense of the applicants; and provided also, that in the erection or extension of said wharf, the Mayor and City Council shall not be taxed for any expense incurred.

Approved March 13, 1845. JACOB G. DAVIES, Mayor.

Register to record certain papers.

34. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby authorised to procure a well bound record book, and to have therein recorded, all deeds and leases made to the city, or sufficient extracts from such deeds and leases, as will fully explain the same; and also all contracts and agreements made in relation to the property of the city.—The records in said record book shall be written on every other page, so that the page opposite the record may be left blank for any remarks that may be necessary to be made in regard to the disposition of said property, &c. The said record book shall also have an alphabet made for more easy reference to said deeds, leases, contracts and agreements.

Resolved, That the Register be, and he is hereby authorised to contract and pay for said record book, and for having the said records made and alphabeted in a fair good hand, and for that purpose, such sum of money, not exceeding one hundred and fifty dollars, is hereby directed to be paid out of any money in the treasury not otherwise appropriated.

Approved March 18, 1845. JACOB G. DAVIES, Mayor.

Register to furnish copies of ordinances, &c.

35. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby requested to furnish the corporations of Philadelphia, New York and Boston with a copy of the revised ordinances of 1838, and such other ordinances as have been, or shall hereafter be passed; as also such other documents as he may deem proper; and request that the authorities of those cities will furnish similar documents for the use of the corporation of Baltimore.

Approved March 18, 1845. JACOB G. DAVIES, Mayor.

City commissioners to prepare a plat of the proposed opening of Fayette street.

36. *Resolved by the Mayor and City Council of Baltimore,* That the city commissioners be, and hereby are authorised to employ a Surveyor to locate on a permanent plat, the proposed opening of Fayette street to Pitt street; said opening to be of the width of Fayette street to Gay street: *provided,* the expense

for making said location and permanent plat does not exceed forty dollars; and said commissioners are hereby required to obtain and report said permanent plat with all practicable despatch; and the Register is hereby authorised to pay said forty dollars to the order of the said city commissioners.

Approved March 20, 1845. JACOB G. DAVIES, Mayor.

Payment to C. Brooks.

37. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay Chauncy Brooks the sum of fifty dollars for repairs of Madison street, out of the appropriation for highways and bridges.

Approved March 20, 1845. JACOB G. DAVIES, Mayor.

Payment to A. G. Ridgely

38. *Resolved by the Mayor and City Council of Baltimore*, That the Register of the city be, and he is hereby authorised, with the approbation of the Mayor, to pay to A. G. Ridgely the sum of three hundred dollars, it being the amount of reward offered by the Mayor for the apprehension of Henry McCurry for the murder of Paul Roux.

Approved March 20, 1845. JACOB G. DAVIES, Mayor.

Payment to G. G. Belt.

39. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay Geo. G. Belt, out of any money in the treasury not otherwise appropriated, seven hundred dollars, being for extra services rendered by him when acting as city counsel.

Approved March 26, 1845. JACOB G. DAVIES, Mayor.

City commissioners to purchase oak plank.

40. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be and they are hereby directed to purchase a quantity of oak joist, upon the best and most reasonable terms, from eight to twelve inches wide, and sixteen feet long, and pile them under cover to season; and draw on the Register for the sum of twelve hundred dollars, to be taken out of any money in the treasury not otherwise appropriated, two hundred dollars of the above sum to be used for bridges out of the limits of direct taxation, and paid for out of the appropriation for highways and bridges.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

Register to pay paving tax, &c. charged to public school lots.

41. *Resolved by the Mayor and City Council of Baltimore*, That all assessments for paving and repairing in front of any of the public schools or lots of ground attached thereto; and also all assessments of benefits for opening or widening any street or streets so far as the public schools may be interested, shall be paid by the Register out of any unappropriated money in the treasury.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

Relative to old Joppa road

42. *Resolved by the Mayor and City Council of Baltimore*, That the property holders binding on the old Joppa road, lying between the eastern boundary of the city extending westward to Broadway, who shall not remove their fences or impediments that obstruct said road, back to the true or original line, leaving the width thirty-three feet, on or before the first day of May next, shall each and every one be subject to a fine of ten dollars, and a further fine of one dollar for each day for every day such obstructions shall remain.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

Repairs of Charles street spring.

43. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the necessary repairs and painting done at the Charles street spring, and draw on the Register for two hundred and twenty-five dollars, or so much thereof as may be required, out of any money in the treasury not otherwise appropriated.

Approved March 27, 1845. JACOB G. DAVIES, Mayor.

City commissioners to erect stone wharf on south side of the basin.

44. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners and port wardens be, and they are hereby directed to have the wharf in front of the city property, on the south side of the basin, built in a strong and substantial manner; to be piled and logged in the most suitable way; to have a stone wall erected thereon when deemed expedient; and that the sum of nine hundred dollars be, and the same is hereby appropriated, or so much thereof as may be necessary for its completion, to be taken out of the appropriation for the harbor, with the approbation of the Mayor.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

45. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to J. B. Seidenstricker the sum of two hundred and thirty-seven dollars thirty-seven cents—who is required to pay out of it to William Gwynn eighty-six dollars, and to Fielding Lucas one hundred and fifty-one dollars and thirty-seven cents, being in discharge of accounts rendered by them.

Payment to J. B. Seidenstricker.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

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46. *Resolved by the Mayor and City Council of Baltimore*, That the Register be and he is hereby authorised and directed, to issue to John Riley, a certificate of six per cent. stock of this corporation, for the sum of two hundred and sixty-two dollars, upon receiving from the said John Riley, a similar certificate, issued on the fifth day of April 1842, in favor of John Dryden, for the same sum, and to pay to the said John Riley the interest to which he would have been entitled, had the original certificate been drawn in favor of the said John Riley, and thereupon cancel the said original certificate, issued in the name of John Dryden: *provided*, the said Register shall give notice, in the newspapers which are employed by the corporation, of the provisions of this resolution, for sixty days; and provided, no person other than the said John Riley, shall on or before the expiration of the time of advertising, come forward and claim the ownership of the said original certificate.

Register to issue a certificate of stock to John Riley.

Conditions.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

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47. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to William Thomas, out of the appropriation for repairs of pumps, the sum of fifty dollars, for the pump put down by him at the corner of Baltimore and Calvert streets.

Payment to Wm. Thomas.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

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48. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Jane Clendenin, out of any money in the treasury not otherwise appropriated, the sum of twenty dollars and eighty-three cents, being for taxes overpaid by her.

Payment to Jane Clendenin.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

Payment to A. R. Levering.

49. *Resolved by the Mayor and City Council of Baltimore*, That the Register be and he is hereby authorised to pay Aaron R. Levering, collector, eighty-nine dollars and thirty cents, being for a discount allowed him in paying into the treasury certain taxes.

Approved March 31, 1845. JACOB G. DAVIES, Mayor.

Payment to J. B. Seidenstricker.

50. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to John B. Seidenstricker, out of any money in the treasury not otherwise appropriated, the sum of two thousand four hundred and sevnty-seven dollars and three cents, being for commissions due to him for collecting and paying over the state tax for 1841.

Approved March, 31, 1845. JACOB G. DAVIES, Mayor.

Broadway to be graded.

51. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the central part of Broadway, between east Baltimore and Lombard streets, filled with earth and gravelled, so that it may correspond with the remainder of said Broadway; and that they draw on the Register, with the approbation of the Mayor, for the sum of two hundred and fifty dollars, or so much thereof as may be necessary for that purpose, out of any money in the treasury not otherwise appropriated.

Approved March, 31, 1845. JACOB G. DAVIES, Mayor.

Payment to Bull & Tuttle.

52. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Bull and Tuttle, out of any money in the treasury not otherwise appropriated, forty-six dollars and twelve and a half cents, being for advertising by the corporation, in the Baltimore Clipper newspaper.

Approved April 5, 1845. JACOB G. DAVIES, Mayor.

Payment to Abner Webb.

53. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Abner Webb, out of any money in the treasury not otherwise

appropriated, six dollars and fifty-seven cents, being for taxes paid by him in his own wrong, on the stock of the Baltimore and Ohio Rail Road Company.

Approved April 5, 1845. JACOB G. DAVIES, Mayor.

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54. *Resolved*, That the city counsellor be directed to institute enquiry as to whether a portion of the estate of the late Josiah Hall, who died in eighteen hundred and thirty-two, does not, under the laws of the state of Maryland, devolve in support of the public schools of the city of Baltimore.

City counsellor to institute a certain inquiry.

Approved April 5, 1845. JACOB G. DAVIES, Mayor.

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55. *Resolved by the Mayor and City Council of Baltimore*, The city commissioners be, and they are hereby directed to have an office, with a suitable bell placed thereon, erected on the square in the Hanover market, for the use of the clerk of said market, and draw on the Register, with the approbation of the Mayor, for the sum of one hundred and ninety-five dollars, or so much thereof as will be required to pay for the same.

Erection of an office for clerk of Hanover market.

Approved April 4, 1845. JACOB G. DAVIES, Mayor.

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56. *Resolved by the Mayor and City Council of Baltimore*, That the Mayor be and he is hereby authorised and required, to apply to the judges of Baltimore city court, to appoint three or more persons commissioners, to value the property designated for the extension of Bel-Air market space, in conformity to the provisions of an act of the General Assembly of Maryland, passed at December session, 1843, entitled "an act to provide for the extension of the Bel-Air market space in the city of Baltimore," and the supplement thereto, passed at December session 1844.

Extension of Bel-Air market.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

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57. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to William Simpson, out of any money in the treasury not other-

Payment to Wm. Simpson

wise appropriated, fifteen dollars and seventy-four cents, being for removal of nuisances.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

Repairs of Hughes street.

58. *Resolved by the Mayor and City Council of Baltimore,* That the city commissioners be, and they are hereby directed to have the loose earth removed out of the bed of Hughes street, between Johnson and Covington streets, and draw on the Register, with the approbation of the Mayor, for the sum of two hundred dollars or so much thereof as may be necessary, out of any money in the treasury not otherwise approprated,

And be it further resolved, That the commissioners be, and they are hereby authorised and directed to make such contracts as they may deem advisable for the sale of sand and dirt in the bed of Hughes street, and pay over the amount when sold to the Register.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

Mayor to accept deed for the bed of an alley.

59. *Resolved by the Mayor and City Council of Baltimore,* That the Mayor be and he is hereby authorised to receive and accept a deed of surrender from the owners and proprietors of the property that forms the bed of an alley twenty feet wide, equi-distant between Baltimore and Hollins streets, and parallel thereto, and extending from Amity alley to Shroeder street; provided, that all the parties interested in the bed of said alley, unite in the surrender of the same to the Mayor and City Council of Baltimore—and provided also, the Mayor and City Council of Baltimore will not incur any expense in receiving the same.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

Professor Morse permitted to extend fixtures for telegraph.

60. *Resolved by the Mayor and City Council of Baltimore,* That the petition presented by professor Morse be granted, and that permision be, and is hereby given him, to extend posts and other fixtures within the limits of the city of Baltimore, for the purpose of supporting the wires of the Electro Magnetic Telegraph, and to continue the posts and fixtures already constructed by him—provided that none of said posts or fixtures shall obstruct the streets or pavements more than a common lamp post.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

61. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to keep in repair the Belvidere road, between the termination of the foot pavement and the Greenmount Cemetery, and the Register of the city is hereby directed to pay to said commissioners, the sum of thirty-five dollars, or so much thereof as may be necessary for that purpose, out of the appropriation for the repairs of highways and bridges.

Repairs of Belvidere road.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

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62. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to place blinds and other necessary furniture, such as chairs, in the police office, and they have power to draw on the Register, with the approbation of the Mayor, for the sum of fifty dollars, or so much thereof as may be necessary for that purpose.

Furniture for police office.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

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63. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the bell removed from the south end of the Fell's Point market house, to the southwest corner of Fleet and Canal streets, and draw on the Register, with the approbation of the Mayor, for the sum of twenty-five dollars, or so much thereof as may be required, to be taken out of any money in the treasury not otherwise appropriated.

Bell at F. P. market, to be removed.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

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64. *Resolved by the Mayor and City Council of Baltimore*, That the copy of the ordinances of Charleston, presented by the corporation of that city, to the city of Baltimore, be deposited in the Mayor's office, and that the communication of the Mayor of Charleston be spread upon the journal of the City Councils.

Register to prepare copy of ordinance, to be presented to authorities of Charleston.

Resolved, That the Register be directed, with the approbation of the Mayor, to have a copy of all the ordinances of this city, now in force, neatly bound and endorsed, "presented by the Mayor and City Council of Baltimore, to the city of Charleston;" and that when said copy shall have been so prepared,

the Mayor be authorised and requested to transmit the same to the Mayor of Charleston, together with assurances of a desire on the part of the municipal authorities of Baltimore to reciprocate offices of kindness with the corporation of Charleston.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

Payment to A. S. Abell & Co.

65. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby authorised to pay to A. S. Abell & Co., out of any money in the treasury not otherwise appropriated, one hundred and two dollars and twelve cents, being for advertising by the corporation in the Sun newspaper.

Approved April 10, 1845. JACOB G. DAVIES, Mayor.

Payment to Canton Co., out of highway and bridge tax.

66. *Resolved by the Mayor and City Council of Baltimore,* That the Register be, and he is hereby directed to pay to the Canton company, the sum of one hundred and fifty dollars, to aid in repairing the two lower bridges on Harris' creek, to be equally divided between said bridges, and to be taken out of the monies collected for highways and bridges, and to be paid when the work is finished.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Repairs of ferry bar road.

67. *Resolved by the Mayor and City Council of Baltimore,* That the city commissioners be, and they are hereby directed to have the road repaired, leading to the Ferry bar, and draw on the Register of the city for fifty dollars, or so much thereof as may be necessary, to be taken out of the appropriation for highways and bridges.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Payment to R. Halloway.

68. *Resolved by the Mayor and City Council of Baltimore,* That the Register be and he is hereby authorised and directed to pay Robert Holloway, the sum of forty dollars and sixty-two cents, for repairs done to the fire alarm bell at the Independent engine house, out of any money in the treasury not otherwise appropriated.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

69. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay William Lusby, the sum of eleven dollars and four cents, for taxes paid by him in 1842 and 1843, on Baltimore and Ohio Rail stock, and Baltimore Firemen's stock, out of any money in the treasuuy not otherwise appropriated.

Payment to Wm. Lusby.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

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70. *Resolved by the Mayor and City Council of Baltimore*, That from and after the close of the present session of the council of the city, no further remuneration shall be allowed for extra services rendered to the city by any of the officers thereof, unless a petition in relation to the claim, be presented during the session of the City Council next succeeding the period when the extra services shall have been rendered; provided the provisions of this resolution shall not apply to cases in which a legal decision shall be necessary to decide that the city is bound to pay for the services rendered.

Relative to extra compensation to city officers.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

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71. *Resolved by the Mayor and City Council of Baltimore*, That John Fernandis be, and he is hereby authorised to alter the front and roof of his frame dwelling house, situated on Bethel street, so as to give the roof the ordinary pitch bearing off what is termed the hip, any thing in any ordinance to the contrary notwithstanding; provided he first files with the city commissioners a copy of his petition, together with the assent in writing of the property owners next adjoining premises.

John Fernandis authorized to enlarge frame building

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

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72. WHEREAS, The public school of Baltimore are supported at a very large cost by the citizens of Baltimore; and whereas, said schools at a charge for tuition merely nominal, must have been designed for the education of the children of her own citizens; and whereas, the admission of pupils from other places than the city, crowds said schools and prevents the admission of pupils who are entitled to the privileges afforded by said schools; therefore,

Relative to the admission of children into the public schools.

Resolved by the Mayor and City Council of Baltimore, That the public schools of Baltimore are designed exclusively for

the education of those pupils whose parents, or as in the case of orphans, whose guardians are citizens of Baltimore or residents of Baltimore, with a bona fide intention to become citizens.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Payment to G. W. Riggs.

73. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay George W. Riggs, thirty-nine dollars and forty cents, the amount of taxes paid by him on the Baltimore and Ohio Rail Road stock for the year 1842, out of any money in the treasury not otherwise appropriated.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Removal of obstructions from Jones' falls.

74. *Resolved by the Mayor and City Council of Baltimore*, That the superintendent of the mud machine under the supervision of the city commissioners be, and is hereby directed, that whenever the water in Jones' falls is sufficiently low, that they employ their men with their scows in order to the removal of the foundations of the piers, at Gay, Baltimore, and Pratt street bridges, with all of the loose stone in the bed of the falls.

Appropriation

Resolved, That two hundred and fifty dollars, or so much thereof as may be necessary, be and is hereby appropriated for the purpose of removing the old piers or other obstructions from the bed of Jones' falls, at Gay, Baltimore and Pratt street bridges, to be taken out of the appropriarion for the harbor.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Joint committee for trial of J. S. Tough's experiment for lighting the city.

75. *Resolved by the Mayor and City Council of Baltimore*, That a joint select committee be appointed, whose duty it shall be in connection with the Mayor, to select a street or streets from amongst those now lighted by oil, to be subjected to John S. Tough's experiment for lighting; provided that in the performance of that experiment, the city shall not be subject to more expense than is now incurred for lighting the same street or streets; and provided also, that John S. Tough shall give bond to indemnify the city from any loss by the experiment, and to replace the lamps in the situation in which he found them, if his experiment should prove unsatisfactory

to the committee at the end of one month from the time of its commencement.

Resolved, That if in the opinion of the committee so appointed, and of the Mayor, after the plan shall have been thus tested, its adoption would be beneficial to the interest of the city, that the Mayor be, and he is is hereby authorised to enter into a contract in the name of the corporation, with John S. Tough for lighting all that portion of the city now lighted by oil upon his plan, on the following terms :

1st. The price shall not exceed the present cost to the city in proportion to the number of lamps now in use.

2d. The light shall be one-third better than it now is.

3d. The contract shall be annulled whenever in the opinion of the Mayor, or the persons appointed by him to judge the case, its provisions shall have not been complied with.

4th. The contractor shall give bond, with security to be approved by the Mayor and Register, for the faithful performance of his contract.

5th. The contract to be for the term of one or two years at the discretion of the Mayor.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Payment to T. Y. Walsh.

76. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Thomas Yates Walsh, out of any money in the treasury not otherwise appropriated, five hundred dollars, being for professional services rendered to the corporation.

Approved April 15, 1845. JACOB G. DAVIES, Mayor.

Register to procure certain maps.

77. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to procure three maps—one of the United States, one of the state of Maryland, one of the city of Baltimore, and cause the same to be forwarded to the authorities of Paris, for the use of the secretary of the Navy and secretary of War, and the Royal Libary of Paris; and that the sum of fifty dollars, or so much as may be necessary to carry the same into effect, to be taken out of any money in the treasury not otherwise appropriated.

Resolved, That the copy of statistics and researches of the city of Paris, be deposited in the Mayor's office.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Chatsworth run.

78. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to establish the line of Chatsworth run in its natural course, south of Baltimore street, to the Patapsco river.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Salary of secretary of the Mayor.

79. *Resolved by the Mayor and City Council of Baltimore*, That the annual compensation of the secretary to the Mayoralty, be six hundred dollars per annum, in lieu of the sum of five hundred dollars, at present provided for.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Payment—M. F. Keyser.

80. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Michael F. Keyser, out of any money in the treasury not otherwise appropriated, the sum of forty-four dollars and eighty-two cents, being for thirty-one dollars and eighty-two cents paid by him in his own wrong, on the stock of the Baltimore and Ohio Rail Road Company; and also for thirteen dollars paid by him on the stock of the Baltimore Water Company.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Relative to sinks attached to the property of D. Stansbury.

81. *Resolved by the Mayor and City Council of Baltimore*, That Daniel Stansbury be, and he is hereby authorised to remove the contents of the sink attached to his property, situated at the corner of Bank street and Happy alley; provided he employs night carts for that purpose, and causes such removal to be made between the hours of eleven o'clock P. M., and four o'clock, A. M.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Payment to B. B. Beale, on condition that a part of the bed of Garden street shall be ceeded to the city.

82. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Benjamin B. Beale, out of any money in the treasury not otherwise appropriated, eighty-five dollars, being for taxes paid by him in behalf of his minor children, Tudor Beale and Ann Catharine Beale, for paving part of Garden street, where it intersects Madison street; provided that the said Benjamin B.

Beale give to the city, a deed for that part of the lot of ground belonging to said Tudor and Catharine, that lies in the bed of Garden street.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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83. *Resolved by the Mayor and City Council of Baltimore*, That the sum of two hundred and eighty dollars be, and the same is hereby appropriated, to be expended under the supervision of the city commissioners, for the construction of a stone bridge over Shroeder's run, in Fayette street, and that the Register be hereby directed to pay over the above named sum, or so much thereof as may be necessary, to the city commissioners, out of any money in the treasury not otherwise appropriated.

Appropriation for bridge over Schroeder's run in Fayette street.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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84. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be authorised to extend the bridge on Pratt street, over Shroeder's run, and draw on the Register of the city for the sum of two hundred dollars, to be taken out of the appropriation for highways and bridges.

Appropriation for bridge over Schroeder's run in Pratt street.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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85. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to the city commissioners, one hundred dollars, to be expended in the erection of a bridge across Harford run in Broadway, in addition to the hundred dollars already appropriated for that purpose, to be taken out of the appropriation for highways and bridges.

Additional appropriation for bridge, across Harford run, in Broadway.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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86. *Resolved by the Mayor and City Council of Baltimore*, That the clerk in the city Register's office be paid for his services for the year, commencing the 1st March, 1845, to the 1st of March, 1846, the sum of five hundred dollars, in lieu of the sum of three hundred dollars, as provided per ordinance No. 6, passed 1st March 1844.

Salary of clerk in the Register's office.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Relative to removal of insane poor from the alms house to the Maryland hospital.

87. *Resolved by the Mayor and City Council of Baltimore*, That the trustees of the poor be, and are hereby authorised to remove from the alms house to the Maryland Hospital, such of the insane poor of Baltimore city, as in their opinion, might receive benefits by such removal.

Be it further resolved, that for the support for one year from the time of their admission, or in proportion for any shorter period of such insane paupers so removed, at the rate of one hundred dollars per annum each, the Register be, and hereby is authorised and directed to pay in annual payments to the order of the president of the board of visitors of said Hospital, the sum of six hundred dollars, or so much thereof as may be required, out of the levy for the city poor for the year eighteen hundred and forty-six.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Relative to Franklin square.

88. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be directed to grade and lay out and properly gravel, walks in Franklin Square, agreeably to a plat heretofore prepared by John Feast, and dress with sod and suitable manure, the middle ground between the walks, and that the sum of five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be paid out of the appropriation of one thousand dollars made in ordinance No. 28, entitled an additional supplement to an ordinance entitled, "An ordinance to lay out a public square in the north western section of the city of Baltimore," passed at the present session of the City Council for paving said Franklin Square.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Removal of the mechanics' bell.

89. *Resolved by the Mayor and City Council of Baltimore*, That the mechanics owning the bell about to be removed from the Fell's Point market house, be, and they are hereby authorised to erect a frame work, not to exceed twelve feet in diameter, at the corner of Fleet and Canal streets, for the purpose of containing said bell.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

90. *Resolved by the Mayor and City Council of Baltimore*, That the pump on Ensor street, near Webb's soap factory, in front of John Brown's lot, be taken in charge and kept in good order by the city, if the city commissioners think they can receive it.

City commissioners authorized to receive a pump, on certain conditions.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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91. *Resolved by the Mayor and City Council of Baltimore*, That we recognise and legalise the act of the Mechanical fire company in removing the fire plug from the corner of Calvert and Mercer streets to their engine house, on the east side of Calvert street.

Removal of fire plug.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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92. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to George C. Penniman, out of any money in the treasury not otherwise appropriated, three hundred and seventy-eight dollars and fifty-seven cents, being for taxes paid in a mistake.

Payment to G. C. Penniman.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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93. *Resolved by the Mayor and City Council of Baltimore*, That the sum of one hundred and twenty dollars, or so much thereof as may be necessary, be appropriated, to be expended under the supervision of the city commissioners, for widening and repairing a stone bridge on Pratt street, near Carey street; and that the Register be hereby directed to pay the above named sum to the city commissioners, out of money collected for highways and bridges.

Appropriation for widening and repairing stone bridge on Pratt, near Carey-st., out of highway and bridge tax.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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94. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to procure a fire alarm bell for the eastern district watch house, and that the sum of seventy-five dollars, or so much thereof as is necessary, be, and the same is hereby appropriated for that purpose.

Fire alarm bell, at eastern district watch house.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Repairs of Chatsworth street.

95. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have Chatsworth street, north of George street, ditched and repaired in such manner as they may deem advisable, and draw on the Register for the sum of one hundred dollars, or so much thereof as may be necessary, to be taken out of the appropriation for unpaved streets.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Payment to John Boyd.

96. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to John Boyd, fifty-three dollars and forty-four cents, being for taxes paid by him on city stock, in his own wrong.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Removal of fence, in Broadway.

97. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to remove the fences enclosing the square in Broadway, Fell's Point, and sell them, and return the proceeds of the sale to the Register of the city.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Bridge over Schroeder's run, at Boyd street.

98. *Resolved by the Mayor and City Council of Baltimore*, That the sum of one hundred and forty dollars be, and the same is hereby appropriated, to be expended under the supervision of the city commissioners, for the construction of a stone bridge over Schroder's run at Boyd street, and that the Register be, and he is hereby directed to pay over the above named sum to the city commissioners, out of money collected for highways and bridges.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

Salary of police officers.

99. *Resolved by the Mayor and City Council of Baltimore*, That the annual compensation of the police officers be at the rate of forty dollars per month, in lieu of the four hundred and fifty dollar per annum as at present provided for.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

100. *Resolved by the Mayor and City Council of Baltimore*, That the sum of thirty-seven dollars and seventy-five cents be, and the same is hereby appropriated for the purpose of paying the bills for cleaning the snow and ice from the streets; and that the Register be, and he hereby is required to pay the said appropriation, out of any money in the treasury not otherwise appropriated.

Appropriation for cleaning snow, &c., from streets.

Approved April 19, 1845. JACOB G. DAVIES, Mayor.

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101. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to the order of the city commissioners, the sum of thirty-three dollars, to make up the deficiency in the former appropriation, to defray the expenses for enclosing a cow market in Forrest street; to be taken out of any money in the treasury not otherwise appropriated.

Additional appropriation for cow market.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

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102. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the Windsor Mill road repaired and mended, within the limits of the city, and draw on the Register, with the approbation of the Mayor, for the sum of one hundred dollars, or so much as may be necessary, to be taken out of the appropriation for highways and bridges.

Repairs of Windsor mill road.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

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103. *Resolved by the Mayor and City Council of Baltimore*, That the sum of two thousand two hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be expended under the direction of the city commissioners, for the building of a new market house at Fell's Point, on the ground now occupied by the upper or northern market house on Broadway, the materials of the present market house, or such of them as will answer to be used in the erection of the new market house.

Erection of market house, on Broadway.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

Appropriation for walling Harford run.

104. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have a wall built to connect with that on the south side of Fleet street on Harford run, and to extend south to Alice Anna street, and draw on the Register, with the approbation of the Mayor for six hundred and fifty dollars, or so much thereof as may be necessary to carry this resolution into effect; to be paid out of the harbor appropriation.

Approved April 24, 1845. JACOB G. DAVIES, Mayor.

Repairs of culvert, on east Baltimore street.

105. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the culvert in east Baltimore street, east of Broadway, repaired, and to draw on the Register, with the approbation of the Mayor, for twenty-five dollars, or so much thereof as shall be necessary to repair the same.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

Sale of watch house on F. P. and erection of a new one, in its stead.

106. *Resolved by the Mayor and City Council of Baltimore*, That the commissioners of finance be and they are authorised and requested to sell and dispose of the house and lot situated at the corner of Broadway and Alice Anna streets, Fell's Point, which are now occupied and used for the accommodation of the eastern watch, and the Mayor is hereby requested upon such sale being effected, to execute and deliver to the purchaser or purchasers, a title for the same, upon the receipt of the purchase money by the Register.

Resolved further, That upon said property being sold, the Mayor is hereby authorised and requested to have a suitable building erected to accommodate the night watch for the eastern district, on the lot now owned by the city at the corner of Bank and Bethel streets, the cost of said erection to be taken out of the proceeds of the sale of the old watch house and lot; and the Register is hereby authorised to pay to the order of the city commissioners, on the approval of the Mayor, the amount necessary to complete the said building, provided, that in no event the sum paid by the Register shall exceed the proceeds received from said sale.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

107. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to Oliver W. Treadwell, six dollars and twenty-four cents, for taxes over paid by him, out of any money in the treasury not otherwise appropriated. Payment to O. W. Treadwell.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

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108. *Resolved by the Mayor and City Council of Baltimore*, That the sum of one thousand dollars be, and the same is hereby appropriated to discharge the debts due by the Union Fire Company, for the erection of an engine house, to be paid by the Register to the claimants, on being satisfied that their accounts are just, and have been incurred for the purpose aforesaid; the said sum of one thousand dollars to be taken out of any money in the treasury not otherwise appropriated. Payment to Union fire company.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

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109. WHEREAS, memorials have been presented to the Mayor and City Council of Baltimore, by divers banks of the city, commonly called the old banks, in behalf of themselves and their stockholders, praying that certain taxes paid by them and their stockholders, on the stock of said banks, under the act of 1841, chapter 23, and the ordinances of this city, may be refunded, on the ground that the imposition of said taxes was unconstitutional and void, and so decided to be by the Supreme Court of the United States; and whereas, it is the opinion of this Council that said decision does not establish the right of said banks or their stockholders to recover said taxes, so far as the same have been imposed by this city: and whereas, without further action on the part of the Mayor and City Council, it is probable that the stockholders of said banks by whom the said taxes have been paid, will bring separate and numerous suits or warrants against the authorities of this city, to the great expense and inconvenience of all parties; therefore, Relative to tax on bank stock.

Be it resolved by the Mayor and City Council of Baltimore, That the counsellor of this city be, and he is hereby authorised and directed to docket a suit by consent, or suits, if in his opinion more than one will be necessary to settle all the questions between the parties, with any one of the said banks, or with any one or more of the said stockholders of said banks, who may desire to institute legal proceedings to recover the sum paid by them or him, under the law and ordinances aforesaid. Counsellor to docket a suit, by consent.

2nd. *And be it further resolved*, That in case of those of the said banks, or of the stockholders who have paid the said tax, but refrain from instituting suits to recover back the same, that nevertheless, the amounts of the said tax shall be refunded to them, if in the case or cases so as above to be instituted, it shall be determined by the court of appeals that the said tax was illegally imposed upon and collected from said stockholders or banks, and also that the right to recover the same exists in said stockholders or banks.

3d. *And be it further resolved*, That nothing contained in the aforeging preamble and resolutions, shall be construed to debar the counsellor of the city of availing himself of any and every defence in behalf of the Mayor and City Council of Baltimore, in said case or cases to be docketed as aforesaid, that he would have had in any case, instituted without consent to recover said taxes by the stockholders of said banks as mentioned aforesaid.

Mayor authorized to employ additional counsel.

4th. *And be it further resolved*, That the Mayor be, and he is hereby authorised to employ additional counsel to defend the city at the court of appeals, if he, in his judgment, shall deem proper so to do.

Approved April 25, 1845. JACOB G. DAVIES, Mayor.

Plan for a city hall.

110. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to prepare for the consideration of the council, a draft or plan for a city hall, to be erected on the lot belonging to the city on Gay street; said hall to be so constructed as to accommodate the various departments of the corporation in the most convenient manner, and to accompany the plan with an estimate of the probable cost of such building, and the time necessary for the completion of the same; and the commissioners are further directed to prepare a draft for a suitable building for a watch house and police office, to be erected on the rear of the lot fronting upon Tripolett's alley;—the hall or watch house to have a tower and alarm bell thereon, the whole to be submitted as soon as practicable.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Mayor authorized to lease property for a market, in the southern section of the city.

111. *Resolved by the Mayor and City Council of Baltimore*, That the Mayor be, and he is hereby authorised to receive from the trustees of the Methodist Episcopal Church, on the William street station, in the city of Baltimore and precincts, a lease to the Mayor and City Council of Baltimore, of a certain lot, or piece of ground and improvements, at the south

west corner of Light and Cross streets, fronting seventy feet on Light street, and running and bounding on Cross street, one hundred and fifty-five (155) feet to a twenty (20) feet alley, and bounding on said alley, seventy feet, and thence to Light street, for the term of ninety-nine years, renewable forever at and for an annual rent of two hundred and fifty-four dollars; also, a lease in like manner from John S. Gettings and Samuel I. Donaldson, for a lot of ground fronting on the west side of Light street, eighty-five feet, adjoining the first mentioned lot on the south, and running back for depth, one hundred and fifty-five (155) feet to the aforementioned twenty feet alley, at and for an annual rent of one hundred and seventy dollars; also, from John S. Gittings and George W. Williamson, a lot binding on Cross street, two hundred and seven feet, between the aforesaid alley and a twenty feet alley to the west, and running back and binding on the said alleys for depth, one hundred and fifty-five feet, at and for the annual rent of three hundred and ten dollars; also, from David U. Brown, a lot at the south east corner of Cross and Charles street, fronting and binding on Charles street, one hundred and sixty feet, and on Cross street one hundred and twenty feet to the last mentioned alley, and binding on the west side of said alley about one hundred and sixty feet, at and for the annual rent of two hundred and forty dollars; provided that before the above leases shall be received by the Mayor, they shall be approved in writing by the counsellor of the city, and shall contain a clause, authorising and empowering the corporation of Baltimore, to pay the principal of said leases at its pleasure, at six per centum, and requiring the lessors in such case, to make to the city of Baltimore, good and sufficient fee simple deeds of conveyance for said property; and provided further, that no market house hereafter to be erected upon any part of said premises, shall extend back, south of Cross street, more than sixty feet from the curb of said street, to the southern eave of the market house, and it being further expressly provided, that a street of forty feet in width, shall be forever reserved at the distance of sixty feet south of the curb of Cross street, and to run parallel with said street, and to and extending from Charles to Light streets, leaving an extent of property south of the line of the street hereby reserved to be opened, of not less than sixty-five feet in depth, to be used as may hereafter be directed by the Mayor and City Council of Baltimore; and provided further, that the lessors of said property shall pay the expenses of grading and levelling said property, to the extent of sixty feet south of Cross street.

Conditions.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

City commissioners to contract for erection of market house, at the corner of Charles and Cross streets.

Appropriation.

112. *Resolved by the Mayor and City Council of Baltimore,* That the city commissioners be, and they are hereby authorised to contract for the erection of a market house on Cross street, between Charles and Light streets, commencing at the corner of Charles and Cross streets; said market house to be one hundred feet in length, and of the width prescribed in the resolution passed at the present session of the City Council, for the leasing of certain property therein mentioned, for the purpose of erecting a market house in the southern section of the city; and that the Register be, and he is hereby authorised to pay to the order of the city commissioners, for the purpose of paying for the erection of the said market house, the sum of two thousand dollars, or so much thereof as may be required, out of any money which may remain unappropriated in the treasury, on or after the first day of May, 1846.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Relative to tunnelling Run alley.

Conditions.

113. *Resolved by the Mayor and City Council of Baltimore,* That Messrs. Sol. Etting, Henry Reiman, Allen Paine and R. Mickle, be, and they are hereby authorised to have Run alley tunnelled, from Saratoga to Raborg street, under the direction of the city commissioners; and that the Register be, and he is hereby authorised to pay to the order of such persons as the above named individuals shall appoint for that purpose, in writing, the sum of two thousand five hundred dollars, out of any unappropriated money which may remain in the treasury on or after the first day of May, 1846—provided that all expenses incurred in the construction of said tunnel, or for any purpose connected therewith, including the necessary paving above and below, over and above the sum of two thousand five hundred dollars, shall be paid, borne and paid by the individuals above mentioned, and such others as may require said work to be done. It being understood, and it being the intention of this resolution, that in no case shall the city of Baltimore pay towards the construction of said tunnel or other work as above stated, more than the sum of two thousand five hundred dollars, as above provided—and provided further, that before proceeding to have said Run alley tunnelled, as above provided, the said Solomon Etting, Henry Reiman, Allen Paine and R. Mickle, shall execute a bond to the corporation of Baltimore, in such penalty as the Mayor may require, that they will have the said run alley tunnelled from Saratoga to Raborg street, and the necessary paving done above and below, and that the city of Baltimore shall be exempted from all further cost and charge for account of said work, than the sum of two thousand five hundred dollars, hereinbefore appropriated.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

114. WHEREAS, an appropriation was made at the present session of the City Council, for the erection of a new market house on the ground now occupied by the upper market house at Fell's Point, and whereas, it has been found desirable that said market house should be extended in length, about thirty-two feet northwardly, for the purpose of erecting eight additional butchers stalls, which it is intimated is much wanted and which will bring an annual rent of one hundred and sixty dollars; therefore,

Additional appropriation for erection of a market house on Fells' Point.

Be it resolved by the Mayor and City Council of Baltimore, That the sum of six hundred dollars be, and the same is hereby appropriated, in addition to the sum heretofore appropriated for the erection of a market house at Fell's Point market, for the purpose of extending said market house about thirty-two feet, in addition to its present length, and the Register is hereby authorised to pay the same, out of any money in the treasury not otherwise appropriated.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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115. *Resolved by the Mayor and City Council of Baltimore,* That the commissioners for opening streets be, and they are hereby required to proceed to the discharge of their duties in the extension of Fayette street, from Gay to Pitt streets, at as early a period as practicable.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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116. *Resolved by the Mayor and City Council of Baltimore,* That the sum of eight thousand five hundred dollars, or so much thereof as may be required, be and the same is hereby appropriated for keeping in repair the apparatus belonging to the Mechanical, Union, Friendship, Deptford, Liberty, Independent, Vigilant, Columbian, New Market, First Baltimore Hose, Washington Hose, Patapsco, United, Howard, Watchman, and Lafayette fire companies; to be distributed among the said companies respectively, as follows:

Fire companies—annual appropriations.

To each company having one spouting engine, two hundred dollars for said engine; to each company having one suction engine, one hundred and fifty dollars, or three hundred dollars if two suction engines; to each company having one thousand feet of hose, with the necessary carriage, one hundred and fifty dollars; and in proportion for any greater or less number of feet—provided, the same shall not be less than seven hundred and fifty feet; and provided also, that no one company shall receive in all, more than five hundred dollars, the

same to be drawn for by the presidents of the respective companies, and paid by the Register on the order of the Mayor.

Conditions.

Resolved, that it shall be the duty of the Mayor to direct the payment of the said sums, as soon as he shall be satisfied from the returns made by the respective companies from their vouchers, &c., that the apparatus for which the appropriation is asked, is in good and effective condition; that the amount asked, has been properly expended for said apparatus; that the companies asking the same is a bone fide member of the Baltimore United Fire Department, and that their hose has the standard screw.

Resolved, That the Mayor be, and he is hereby authorised and empowered not to pay the aforegoing appropriations to any fire company, the members of which shall hereafter be engaged in fighting, or riots at fires, or while out as a company going to or returning from a fire, or alarms of fire, until he shall have received satisfactory evidence that the company or companies to which the parties are attached, have taken proper measures for the punishment of the same, and have adopted such regulations as in his opinion are calculated to prevent the recurrence of similar ontrages.

And be it further resolved, That any fire company closing the doors of their engine house without the approbation of the Mayor, and thereby refusing or preventing the apparatus attached to said company from being used for the extinguishment of fires, or if any fire company shall neglect or refuse to close the door of their engine house, when required to do so by the Mayor, for the preservation of good order and the maintenance of the public peace, the Mayor is hereby authorised to withhold for a time, or entirely, at his discretion, the annual appropriation made to such company.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Payment to fire department.

117. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised and directed to pay over to the treasurer of the Baltimore United Fire Department, the sum of ninety-five dollars, being the amount of fines imposed by the department on certain fire companies, and retained by him out of the annual appropriations of said companies for the year 1844, in compliance with a resolution of the Mayor and City Council, approved March 14th, 1842.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

118. *Resolved*, That the visitors of the jail be, and they are hereby earnestly requested to take into consideration the present inconvenient arrangement of Baltimore city and county jail, and to employ all the means in their power to remedy the same.

Relative to the jail.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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119. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised and directed to pay to the directors of the Eastern Dispensary, the sum of one hundred dollars out of any money in the treasury not otherwise appropriated, in addition to the sum heretofore ordered to be paid to the said directors of the Eastern Dispensary.

Payment to the Eastern Dispensary.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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120. *Resolved by the Mayor and City Council of Baltimore*, That the sum of sixty dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, out of any unappropriated money in the treasury, for the purchase of one hundred feet of hose for the use of the centre market, and the Register is hereby authorised to pay the same to the clerk of the centre market, for the purpose aforesaid.

Hose for Centre market.

And be it further resolved, That it shall be the duty of the said clerk, at all times after using said hose, to have it hung up in the fish market house, on hooks, for the purpose of drying the same, and also to have the said hose well oiled at least once in two months, or oftner, if necessary for its preservation.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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121. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to build a small office for the transaction of the business of the harbor master of the eastern district, to be located on some eligible spot on the city property, at or near the city block, and the sum of sixty dollars is hereby appropriated for that purpose, or so much thereof as may be necessary, to be paid out of any money in the treasury not otherwise appropriated.

City commissioners to erect an office for harbor master.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Payment to A. Flarrity and others.

122. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby authorised to pay to Anthony Flarity, two dollars; to Edward Calder two dollars; to Edward Shelley, two dollars; to Duncan Macpherson two dollars; to George Whitter, two dollars; to Robert McWilliams, two dollars, and to Andrew Smith, two dollars, out of any money in the treasury not otherwise appropriated, being for work performed by them in the digging and discharging machines, on the 13th of April, 1844.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Western square, opposite the Washington Monument, to be enclosed.

123. *Resolved by the Mayor and City Council of Baltimore*, That the sum of six hundred dollars be, and the same is hereby appropriated, out of any unappropriated money in the treasury, for the purpose of enclosing in a good and substantial manner, the western square opposite the Washington Monument, which sum shall be paid by the Register, to the order of William Tiffany, Edward M. Greenway and Basil Gordon, to be applied by them, with such other sums as they and others may contribute to the improvement and embellishment of said square, under the direction of the city commissioners.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

Relative to the claim of Jas. Roach against the city.

124. WHEREAS, James Roach has petitioned the Mayor and City Council, asking remuneration for a wall injured by the flood of 1837; and whereas, the said petition has not received the favorable consideration of the Council, without, however, desiring to avail themselves of any legal objection to said petition, founded upon the ground of the lapse of time since said improvements were made by said Roach,—therefore,

Be it resolved by the Mayor and City Council of Baltimore, That if the said James Roach shall institute a suit against the Mayor and City Council of Baltimore, for the recovery of a claim he conceives to be due him, as set forth in said petition, that the counsellor of the city be, and he is hereby instructed not to avail himself in behalf of the city, of the defence of the statutes of limitations, against the recovery of said claim.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

125. *Resolved by the Mayor and City Council of Baltimore*, That Sam'l Poultney and Mrs. Ellen M. Poultney have permission to remove certain frame houses from their present location, to another part of their lot situated on the west side of Light street, between Hamburg and Cross streets; provided they obtain the consent of the property-owners adjoining, before such removal is made, and file the same in the office of the city commissioners.

S. Poultney authorised to remove a frame house.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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126. *Resolved by the Mayor and City Council of Baltimore*, That James Hewes be, and he is hereby authorised to remove his frame stable from its present location on Strawberry alley, to the back of his lot; provided he first obtains the consent of the owners of the adjoining lot, and file the same in the office of the city commissioners.

J. Hughes authorised to remove frame stables.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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127. *Resolved by the Mayor and City Council of Baltimore*, That the city commissioners be, and they are hereby directed to have the main posts of Baltimore and Gay street bridges capped with zinc or tin, and draw on the Register for the sum of fourteen dollars, to be taken out of the appropriation for bridge repairs.

Posts of Market and Gay street bridges to be capped.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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128. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to purchase at the expense of the city, a suitable flag, to be displayed on public occasions from the city hall, and that the sum of thirty dollars, or so much thereof as may be necessary, is hereby appropriated, payable out of any money in the treasury not otherwise appropriated.

Flag for the city hall.

Approved May 2, 1845. JACOB G. DAVIES, Mayor.

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129. *Resolved by the Mayor and City Council of Baltimore*, That the Mayor be, and he is hereby authorised to make such arrangements with the commissioners of Baltimore county, for so much of the ground attached to the alms house, as he may deem necessary for the use of a House of Refuge, au-

Mayor to purchase lot of ground for the erection of a house of Refuge.

thorised to be erected by ordinance passed at the present session of the City Council, and to draw upon the Register for such sum of money as may be required to purchase the right of the county to the lot of ground which may be so selected for the house of refuge, to be paid by the Register out of the sum of ten thousand dollars, appropriated to the erection of the house of refuge.

Approved May 8, 1845. JACOB G. DAVIES, Mayor.

Mayor to direct the removal of political poles.

130. *Resolved by the Mayor and City Council of Baltimore*, That the Mayor be, and he is hereby requested to cause the political poles which have been erected in the city, to be removed on or before the twentieth of June next, and to employ the police officers for that purpose, in case the owners of property where they are erected shall not have them removed in ten days after being duly notified to that effect; in case they be removed by the police officers, the Mayor shall have them sold to pay the expenses of removal.

Approved May 9, 1845. JACOB G. DAVIES, Mayor.

One of the mud machines to be employed in Jones' falls.

131. *Resolved by the Mayor and City Council of Baltimore*, That the port wardens be, and they are hereby authorised to have one of the mud machines worked in the falls between Pratt and Fleet streets, so as to deepen the falls at this point to its original depth.

Approved May 8, 1845. JACOB G. DAVIES, Mayor.

P. & G. Riley permitted to erect a sign.

132. *Resolved by the Mayor and City Council of Baltimore*, That permission be, and is hereby granted to P. & G. Reilly, to erect two sign posts on the pavement in front of their residence on North street, and to attach thereto a sign, indicating their location and business; provided, however, that said sign and posts may be removed at any time, upon the complaint of the neighborhood.

Approved May 9, 1845. JACOB G. DAVIES, Mayor.

Special appropriation to Lafayette fire company.

133. *Resolved by the Mayor and City Council of Baltimore*, That the Register be, and he is hereby directed to pay to the Lafayette Hose Company, two hundred dollars, out of any

money in the treasury not otherwise appropriated, to enclose their lot and paint their house, and such repairs as may be necessary.

Approved May 9 1845. JACOB G. DAVIES, Mayor.

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134. *Resolved by the Mayor and City Council of Baltimore,* That Messrs. Soloman Etting, Henry Reiman, Allen Paine and Robert Mickle, be, and they are hereby authorised to continue the tunnelling of Run alley south of Raborg street, to the extent of about thirty feet, until it intersects the water of Chatsworth run; subject to all the provisions of a resolution passed at the present session of the City Council, it being understood and hereby provided, that the extension of said run alley as herein authorised to be made, shall be at the expense of the individuals named above. Relative to tunnelling of Run alley.

Approved May 15, 1845. JACOB G. DAVIES, Mayor.

ACTS OF ASSEMBLY

RELATING TO THE CITY OF BALTIMORE,

PASSED AT DECEMBER SESSION, 1844.

ACTS OF ASSEMBLY.

CHAPTER 5.

An Act relating to the Practice in Baltimore County Court, in certain cases. Passed Jan. 9, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That cases on the trial docket in Baltimore county court, shall at any time be continued on the application of the respective parties thereto, or of their counsel. May be continued.

SEC. 2 *And be it enacted*, That cases referred in Baltimore county court to arbitration, shall be reinstated, and placed on the trial docket, on the application of the respective parties thereto, or of their counsel. Cases of arbitration may be continued.

SEC. 3. *And be it enacted*, That all general issue pleas in suits brought in Baltimore county court, may at the option of defendants, or of their counsel, be entered short on the clerk's docket. General issue pleas may be entered short.

CHAPTER 34.

An Act to regulate and establish a Standard for the Measurement of Dried Fruit hereafter sold in this State. Passed Jan. 27, 1845.

WHEREAS, great inconvenience has been experienced by sellers and puchasers of dried fruit, in consequence of no standard being fixed by the law for uniform measurement in the sale thereof; AND WHEREAS, a difference of opinion necessarily exists between seller and purchaser, whether or not there should be a rise or heap in the measurement thereof—Therefore, Preamble.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That all measures of dried fruit hereafter used in the future sale of said fruit, within the limits of this state, shall be fixed and uniform, and regulated and tried by the standard measure of the state, and the measure to be filled even and full, without rise or heap, and the fruit not packed or pressed in the measurement thereof. Measures to be uniform.

Fine, &c.

SEC 2. *And be it enacted*, That for every violation or infraction of this law, the offender shall be subject to a fine of not less than one nor more than five dollars, to be recovered by information, before any justice of the peace of the state, as other small debts are recovered, one-half thereof for the use of the informer, the other half for the use of the state.

August 1845.

SEC 3. *And be it enacted*, That this act shall not go into operation until the first day of August, eighteen hundred and forty five.

CHAPTER 38.

Passed Feb. 1, 1845.

A further Supplement to an act to erect Baltimore Town, in Baltimore County, into a City, and to Incorporate the inhabitants thereof.

Preamble.

WHEREAS, it is provided by the act of seventeen hundred and ninety-six, chapter sixty-eight, that the Mayor of the city of Baltimore shall be elected by electors on the third Monday of February, to serve for the term of two years "thereafter;" AND WHEREAS, the act of seventeen hundred and ninety-seven, chapter fifty-four, provides for the election of said officer in manner as above, but changes the time of his election by said electors to the first Monday of November, to serve for two years "thereafter;" AND WHEREAS, by act of eighteen hundred and thirty-two, chapter two hundred and six, it is provided that the said officer shall be voted for directly by the people; AND WHEREAS, by existing act, the said election is directed to be held on the third Monday in October, without a particular designation of the time at which said Mayor shall take his seat, thus leaving the day of his going into office a matter of much doubt,—Therefore,

Shall qualify.

Be it enacted by the General Assembly of Maryland, That the Mayor of the city of Baltimore, shall qualify and proceed to the execution of the duties of his office on the first Monday succeeding the day of his election.

CHAPTER 44.

Passed Feb. 6, 1845.

A further Supplement to the act Enlarging the Powers of the High Court of Chancery.

Preamble.

WHEREAS, doubts are entertained whether the act entitled, an act for the better regulation of chancery proceedings in certain cases, passed at December session eighteen hundred and twenty, chapter one hundred and sixty-one, and the act entitled, a further supplement to the act enlarging the powers of the High Court of Chancery, passed December session, eigh-

teen hundred and forty-two, chapter two hundred and twenty-nine, apply to cases which have abated or may abate by the death of the representative of a deceased complainant or defendant—Therefore,

Party may be named.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That in any case now pending, or to be hereafter commenced in the court of Chancery, or in any county court sitting as a court of equity, in which an executor or administrator shall be a party, and die, or have died before the passage of this act, the administrator de bonis non, or other proper representative of the estate, may be a party in the manner provided for by the said acts.

Court may direct.

SEC. 2. *And be it enacted*, That no such suit shall necessarily abate by the suggestion of the death of any complainant, but his proper representative, or in case he was a representative of any estate, the proper representative of the said estate may be made a party if it shall be deemed necessary, on such terms and in such a manner as the said court shall deem proper and advisable for the purposes of justice, and to avoid unnecessary delay.

CHPPTER 54.

An Act to condemn certain real estate of Cornelius Howard, deceased, as Public Alleys in the City of Baltimore.

Passed Jan. 23, 1845.

Condemned.

Be it enacted by the General Assembly of Maryland, That all such portions of the real estate of the late Cornelius Howard of Baltimore county, situate in the city of Baltimore, which have been laid off as alleys, or for the purpose of widening alleys within the limits of the said estate, by William George Read, appointed by the said Cornelius Howard, to divide the same, be, and they are hereby condemned as public alleys forever, and made subject to all the laws and ordinances of this State and of the city of Baltimore, regulating or concerning streets, lanes and alleys within said city: *Provided*, that the said William George Read shall file a plat of the said property with the limits of such alleys accurately described thereon, in the office of the register of the city of Baltimore.

CHAPTER 63.

A Supplement to the act entitled, "An act to authorise the Approval of the Bonds, of the several clerks of the several County Courts in this State,"—passed at December session, eighteen hundred and thirty-eight, chapter one hundred and twenty-four.

Passed Feb 3, 1845.

Judges may approve bond.

Be it enacted by the General Assembly of Maryland, That whenever any clerk of a county court in this State shall have

been, or may hereafter be appointed by the Governor, by and with the advice and consent of the Senate, or by the Governor, if the general assembly shall not be in session, and commissioned during the recess of such county court, it shall and may be lawful for any one of the judges of such county court, to take and approve the official bond of such clerk in as ample a manner as the judges of the county courts are now authorised to do, according to the existing laws; and every such bond, when so approved, shall be good and effectual in law, to all intents and purposes, until the term of said court prescribed for the renewal of the same by the act of assembly of December session, eighteen hundred and twenty-five, chapter two hundred and eight, section five.

CHAPTER 74.

Passed Feb. 13, 1845.

An Act supplementary to an act entitled "An act for the weighing of Anthracite Coal, and for the measuring of Bituminous Coal," passed at December session, eighteen hundred and thirty-seven, chapter three hundred and sixteen.

Coal to be measured before sold.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, it shall not be lawful for any dealer in Anthracite or Bituminous coal, to sell any thereof in the city of Baltimore, unless the same shall have been first measured or weighed by a weigher or measurer, engaged by, or in the employment of said dealer, and who shall have been duly sworn, the original or copy of the oath or affirmation to be filed in the clerk's office of the city of Baltimore.

Oath.

Fine, &c.

SEC. 2 *And be it enacted*, That any dealer in coal as aforesaid, who shall not have the coal thus sold and disposed of, weighed or measured, agreeably to the above section, shall forfeit for every offence, recoverable before any justice of the peace, a penalty of not less than fifteen dollars, nor more than fifty dollars, one half thereof to go to the informer, and the remainder to the state.

CHAPTER 80.

Passed Feb. 15, 1845.

An Act supplementary to an act entitled, "An act concerning Crimes and Punishments,"—passed at December session, eighteen hundred and eighteen, chapter one hundred and fifty-seven.

Persons liable to indictment.

Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, if any person or persons shall entice, persuade, or offer any inducement to any

slave or servant to runaway from his or her lawful owner or possessor, such person or persons shall be liable to an indictment in the county court of the county in which he, she or they may reside, or in the city court of the city of Baltimore, or in the district court of Howard district, if he, she or they reside in the city of Baltimore or Howard district, and on conviction, shall be subject to confinement in the penitentiary, for not less than two, or more than five years, at the discretion of the court before whom such conviction was had.

CHAPTER 91.

A Supplement to the acts relating to the recording of Deeds and Bonds of Conveyance, in Baltimore County Court. Passed Feb. 17, 1845.

Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, it shall be the duty of the clerk of Baltimore county court, to keep a regular index of the names of all the parties, grantors and obligors, and also of all parties, grantees or obligees, in all deeds and bonds of conveyance relating to real or leasehold estate, that may hereafter be left in his office for record, and that the names of all such parties shall be duly entered in such index under the proper letters of the alphabet, on the day, or that next ensuing the reception of such deeds or bonds of conveyance. Clerk to keep a regular index, &c.

CHAPTER 103.

An Act authorising a reduction of the maximum charge for Passengers on the Washington Branch of the Baltimore and Ohio Rail Road, as at present established. Passed Feb. 13, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of June next, the Baltimore and Ohio Rail Road Company be, and they are hereby authorised to reduce the rate of tolls for passengers, from time to time in their discretion, upon the Washington branch of said road, by carrying them to and from the respective cities of Washington and Baltimore, for a less sum than is now authorised: *Provided*, that the charge for a passenger to and from the said cities, shall not be less than one dollar and fifty cents: *And provided always*, that one-fifth of all such passage money so received be accounted for, and paid into the state treasury as now required by law. After 1st June fare from Baltimore to Washington lowered. Provisoes.

SEC. 2. *And be it enacted*, That the said Baltimore and Ohio Rail Road Company be, and they are hereby authorised to transport passengers on the said Washington road to and from the respective cities of Washington and Baltimore, in Authorised to transport passengers, &c.

companies not less than twenty, for a less sum than is now authorised, in cases where such passengers shall perform the trip to and from the two cities, within the period of three days :

Proviso. *Provided always*, that one-fifth part of all such passage money so received, be accounted for and paid into the state treasury as aforesaid.

Way passengers in proportion.

SEC. 3. *And be it enacted*, That the said Baltimore and Ohio Rail Road Company shall also be authorised and required to transport way passengers upon the said Washington branch, in proportion to the charge from city to city, with the same proviso, and subject to the same condition as is expressed in the first and second sections of this act, with regard to passengers from city to city.

Right reserved.

SEC. 4. *And be it enacted*, That the legislature reserves the privilege at all times, to repeal, modify or change this law.

CHAPTER 111.

Passed Feb. 17, 1845.

A Supplement to an act entitled, "An act to provide for Specie Payments, by the Banks."

Issue notes less than $5, but not less than $1.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the several banks in this State, shall have power and authority to issue, reissue, and pay out notes or certificates of deposit of a less denomination than five dollars, and not less than one dollar.

SEC. 2. *And be it enacted*, That no bank shall issue or pay out notes or certificates of deposit, of a less denomination than five dollars, to an amount greater than ten per cent. of the capital actually paid in : *Provided*, that any bank may issue such notes to the amount of five thousand dollars.

Proviso.

Subject to all penalties &c.

SEC. 3. *And be it enacted*, That the several banks shall be subject to all other provisions, penalties and restrictions contained in the act to which this is a supplement, that are not inconsistent with the provisions herein contained.

In force until 1855.

SEC. 4. *And be it ordained*, That this act shall be in force until the year eighteen hundred and fifty-five, and until the end of the next session of the general assembly thereafter : *Provided*, nothing herein contained, shall be so construed as to prevent the repeal of this act whenever the general assembly shall think proper.

Proviso.

CHAPTER 117.

Passed Feb. 12, 1845.

A further Supplement to an act relating to the Manumission of Negro Slaves.

Preamble.

WHEREAS by an act, entitled an act relating to negroes, and to repeal the acts of assembly therein mentioned, passed

at November session, one thousand seven hundred and ninety-six, and the several supplements thereto, it is provided that where any person or persons possessed of any slave or slaves within this State, who are or shall be of healthy constitution, and sound in body and mind, capable by labor to procure him or them sufficient food and raiment, with other requisite necessaries of life, and not exceeding forty-five years of age, and such person or persons possessing such slave or slaves as aforesaid, and being willing or desirous to set free or manumit such slave or slaves may, by writing under his, her or their hand and seal, evidenced by two good and sufficient witnesses at least, grant to such slave or slaves, his, her, or their freedom: *And whereas*, it is doubted whether or not the above said power, to manumit as above said, embraces bodies politic or corporate.

Made lawful.

SECTION 1. *Be it therefore enacted by the General Assembly of Maryland*, That it shall and may be lawful henceforth, from and after the passage of this act, for any body politic or corporate within this State, to manumit their slave or slaves, subject to the provisions of the act aforesaid, and the several supplements thereto, and subject also to the provisions of the act of eighteen hundred and thirty-one, chapter two hundred and eighty-one, and its supplements.

Deeds acknowledged by attorney.

SEC. 2. *And be it enacted*, That any deed or deeds of manumission executed by any such body politic or corporate, may be acknowledged by attorney according to the provisions of an act passed at the December session, one thousand eight hundred and twenty-one, chapter two hundred and twenty-six, section first.

Made valid.

SEC. 3. *And be it enacted*, That any deed of manumission, executed by any such body politic or corporate, in strict conformity to the provisions of the first aforesaid act, and the supplements thereto, and subject also to the provisions of the act of eighteen hundred and thirty-one, chapter two hundred and eighty-one and its supplements, to which this act is a further supplement, before the passage of this act, shall be and hereby is made valid and of full effect as if made in virtue of the explanatory force of this act.

CHAPTER 172.

An Act to aid in paying the Interest on the Public Debt of Maryland

Passed Feb. 28,

Levy a tax of one-fourth of one per cent.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, there shall be levied a tax of one-fourth of one per cent. on the public debt of the State of Maryland, owned or held by non-residents of

this State, assessed at the following valuations: So much of the said debt as bears an interest of six per cent. shall be assessed at par; so much thereof as bears an interest of five per cent. shall be assessed at ninety dollars in the hundred; so much thereof as bears an interest of four and a half per cent. shall be assessed at eighty dollars in the hundred; and so much thereof as bears at interest of three per cent. shall be assessed at sixty-four dollars in the hundred dollars; which said assessments shall be made by the treasurer at the times hereinafter prescribed for the payment of the said tax.

Treasurer to retain the tax

SEC. 2. *And be it enacted*, That the amount of the said tax shall be collected by the said treasurer's retaining it out of the payment of interest falling due on the first day of July, in each and every year, on the said portion of the public debt, and that instead of authorising the commissioner of loans to draw upon him for the full amount of the interest falling due upon the first day of July, the treasurer shall authorise a draft for the balance only of the interest due, after deducting the said tax, the amount of which said tax shall then be carried to the credit of the State by the said treasurer.

Repealed.

SEC. 3. *And be it enacted*, That all acts and parts of acts inconsistent herewith, be, and the same are hereby repealed.

Take effect from its passage.

SEC. 4. *And be it enacted*, That this act shall take effect from the passage thereof.

CHAPTER 184.

Passed Feb. 22, 1845.

An Act imposing a Tax on Commissions allowed to Executors and Administrators, to aid in paying the Debts of the State.

Executors and administrators shall be subject to a tax.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That in all cases of the grant of letters testamentary, or of administration, from and after the first day of June next, the commissions allowed by the Orphans courts of the several counties of this State, and of Howard District, to executors and administrators, shall be subject to a tax for the benefit of this state, of one-tenth part of the sum so allowed, to be paid in the manner hereinafter directed.

Tax to be paid to register of wills of the proper county, &c.

SEC. 2. *And be it enacted*, That it shall be the duty of all and every executor and executors, administrator and administrators, upon the passage of his, her or their account or accounts, in which commissions shall be allowed, to pay to the register of wills of the proper county, or of Howard District, for the use of this state, the proportion aforesaid, of his, her or their commissions, allowed in all and every account or accounts as aforesaid, as required by the preceding section; and on failure to do so within thirty days from the time of the passing of such account, it shall be the duty of the said re-

gister to give notice to the Deputy of the Attorney General of said county, or of Howard District, who shall thereupon put the bonds of such executor or executors, administrator or administrators, in suit, for the use of this state, which bond shall be liable therefor, as for any other default of the principal obligor or obligors therein.

Registers to pay the sums so received to treasurer of the state.

SEC. 3. *And be it enacted*, That it shall be the duty of the the said registers, on or before the first days of October, January, April and July, in each and every year, from and after the passage of this act, to pay to the treasurer of this state, all sums of money paid to and received by them, under the provisions of this act, accompanied with a statement of the amount so received, under oath or affirmation, verifying the truth thereof, and on failure, their official bonds shall be put in suit, and a recovery had thereon, for the use of this state, for the amount which they may so fail to pay, with interest at the rate of ten per centum per annum, from the time of such default.

Make oath.

Give duplicate receipts.

SEC. 4. *And be it enacted*, That upon payment to the said registers as aforesaid, they shall give to the executor, or executors, administrator or administrators, paying, duplicate receipts; one of which shall be forwarded by the said executor or executors, administrator or administrators, to the treasurer of this state, to be by him preserved, and copies whereof shall be evidence in suits upon the bonds of the register signing the same.

Fixing commissions of executors and administrators.

SEC 5. *And be it enacted*, That the several Orphans courts of this state, in fixing the commissions of executors and administrators, shall make no allowance for the tax hereby imposed, it being the intention of this act that said tax shall be born by and paid out of such commissions, and not by the estates of the deceased,

Take an additional oath or affirmation.

SEC. 6. *And be it enacted*, That it shall be the duty of every executor or executors, administrator or administrators, to whom letters testamentary or of administration shall be granted, in in addition to the oath or affirmation now required by law, to to take an additional oath or affirmation, that he, she or they will diligently and faithfully regard and well and truly comply with the provisions of this act; which oath or affirmation the respective registers of wills are hereby required to administer, and to place the same on record, with the usual oath or affirmation.

CHAPTER 187.

Passed Feb. 25, 1845.

An Act imposing a Tax on Commissions allowed to Trustees and Receivers,—to aid in paying the Debts of the State.

Tax imposed on commissions allowed trustees, &c.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That in all cases, in which commissions shall be allowed to trustees or receivers by the court of chancery, the county courts of the several counties of this State, or of Howard district, as courts of equity or otherwise, such commissions shall be subject to a tax for the benefit of this State, of one-tenth part of the sum so allowed, to be taxed by the auditor of the court, by which such commissions shall be allowed, in auditing the account or accounts of said trustees or receivers, respectively.

Tax to be paid to register in chancery, &c.

SEC. 2. *And be it enacted*, That it shall be the duty of the trustee or receiver, as the case may be, to pay to the register of chancery, or to the clerk of the court of the county, or of Howard district, as the case may be, the sum so taxed by the auditor, under the first section of this act, within thirty days after the account reported by the said auditor, shall have been finally ratified and confirmed, and on the failure of the said trustee or receiver, as the case may be, to make such payment, within the time above specified, it shall be the duty of the said register of chancery, or the clerk of the court of the county, or of Howard district, as the case may be, to give notice to the Depnty of the Attorney General of Anne Arundel county, where the said commissions have been allowed by the court of chancery, or to the Deputy of the Attorney General of the county, or of Howard district, where the commissions have been allowed by the county court of a county, or of said district, who shall thereupon put the bond of such trustee or receiver, so failing to make the payment herein directed, in suit, for the use of this state, which bond shall be liable therefor, as for any other fault of the principal obligor or oblgors therein.

Deputy attorney General to put bond in suit.

Return a statement of treasurer under oath.

SEC. 3. *And be it enacted*, That it shall be the duty of the said register of chancery, or the clerk of the court of the county, or of Howard district, as the case may be, to whom such payments shall be made, on or before the first days of July, October, April and January, in each and every year, from and after the passage of this act, to pay to the treasurer of this state, all sums of money paid to, or received by them under the provisions of this act, accompanied with a statement of the amount so received, under oath or affirmation, verifying the truth thereof, and on failure, their official bonds shall be put in suit, and a recovery had thereon for the use of this state, for the amount which they may so fail to pay, with interest at the rate of ten per centum per annum, from the date of such default.

SEC. 4. *And be it enacted*, That upon the payment to the said register of chancery, or to the clerks of the county courts, or of Howard district, as aforesaid, as the case may be, they shall give to the said trustee or receiver, as the case may be, so paying as aforesaid, duplicate receipts, one of which shall be forwarded by the said trustee or receiver, as the case may be, to the treasurer of this state, to be by him preserved, and copies whereof shall be evidence in suits upon the bonds of the said register, or clerks as the same may be, signing the same. Duplicate receipts.

SEC. 5. *And be it enacted*, That upon the exhibition and delivery of the copy of the said receipt, retained by the said trustee or receiver, as the case may be, to the collector of the income tax of this state, when he shall call to receive payment of the income tax due by said trustee or receiver, the said collector shall credit the amount of said receipt or receipts, if the said trustee or receiver shall have more than one such receipt, upon the bill for said income tax due by said trustee or receiver; *provided*, that no such credit shall be given however, unless the said trustee or receiver shall pay to the said collector, the balance, if any, of said bill so due by him, as aforesaid. Collector to credit receipt. Proviso.

SEC. 6. *And be it enacted*, That the said collector or collectors shall be credited on the production of the said receipts, with the amount thereof, as so much money collected by him or them and paid over. Collector credited by producing receipt

SEC. 7. *And be it enacted*, That this act shall take effect from and after the first day of June next. Take effect after 1st day of June.

CHAPTER 196.

A Supplement to an act to regulate the Fees of Notaries Public,—passed at December session, eighteen hundred and forty-one, Chapter two hundred and eighty. Passed March 5, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Notaries Public shall hereafter be allowed to receive as a fee for protesting any note, draft, bill of exchange, or check, for non-acceptance or non-payment, the sum of two dollars, one dollar of which fee on any protest, and no more, it shall and may be lawful for the said Notaries, to retain for their own use, and the residue it is hereby made their duty semi-annually, to pay over to the treasurer of the Western Shore; and every Notary Public failing or neglecting to comply with the requirements of this section, shall forfeit in each case the sum of twenty dollars, to be collected and paid for the use of the State. Fees of Notaries Public.

SEC. 2. *Be it enacted*, That the Notaries Public shall at the time of making payment of the proportion of the fees Statement of fees under oath.

hereby required to be paid into the treasury, accompanying such payment by a statement under oath, showing the number of protests made by him, and the fees received therefor.

Repealed.

SEC. 3. *And be it enacted*, That all such parts of the act, to which this is a supplement, as are inconsistent with the provisions of this act, be and the same are hereby repealed.

CHAPTER 201.

Passed Feb. 26,

An Act relating to Non-Resident Guardians of Infants living out of this State,—and having personal Property therein.

Non-resident guardians of infants living out of this State.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That where any infant is or shall hereafter be entitled to an legacy, bequest or distributive share of any personal property in the hands of any executor or administrator in this State, and such infant if male, is or shall be under the age of twenty-one years, or if female, under the age of eighteen years, and not residing in this State, nor having any guardian therein, but residing in some other State or territory of the United States, and having a guardian in such other State or territory, duly qualified according to the laws thereof, and who shall have there given good and sufficient security for the faithful performance of his or her trust as such, or in words to that effect, and who as guardian hath or shall then have the custody of the person of such infant; then the Orphans court of the county in which the said executor or administrator may have administered in this State, shall upon the petition in writing of such guardian, setting forth the premises, and stating the entire amount of the personal property including that in this State, belonging to such infant, and also the amount of the income of the real estate, if any of such infant which hath come or is likely to come into the hands of such guardian, and accompanied by a copy duly authenticated of the reeord of his or her appointment and qualification as such guardian, and of the bond or other instrument or security so given as aforesaid, verified as to the truth of the facts set forth in said petition, by the affidavit of such guardian; and as to the sufficiency of such security, all things being considered by the affidavit of the chief clerk or prothonotory of the court, tribunal or authority by whom such security was taken, or of some other disinterested and credible witness or witnesses; and upon the said Orphans court being satisfied of the truth of the facts set forth in such petition as aforesaid, and of the sufficiency of such security, order and direct the said executor or administrator to pay, transfer or deliver such legacy, bequest or distributive share to such guardian at such time,

Make affidavit.

and in like manner by order of court as is provided by the laws of this State, in the cases where the said parties and infants are residents within the State, and on failure of any executors or administrators to comply with such order, the same proceeding may be had against said executor or administrator, upon his bond or otherwise, as is now provided by law for the payment of legacies and bequests, and the distribution of intestate estates as shall appear reasonable; that is to say, such direction shall be given, in the case of a legacy or bequest, as soon as it can be done without prejudice to the party administering, and in the case of a distributive share as soon as it can be ascertained, and on failure of any executor or administrator to comply with such order, his bond may be put in suit, and he may also be attached for contempt, and fined not exceeding three hundred dollars.

Proceedings against executor.

SEC. 2. *And be it further enacted*, That if any citizen of, or resident of this state, shall be prospectively entitled to any remainder, reversion or executory devise in any such legacy or bequest, upon the determination of the estate or interest of such infant therein, it shall be lawful for the said Orphans court, in its discretion, before giving such order or direction as herein before provided, to require that such guardian or some other person ar persons, shall execute a bond to the state of Maryland, in double the amount or value of such legacy or bequest with a surety or sureties, to be approved by said court, conditioned that the said legacy or bequest, shall at the determination of the estate or interest of such infant therein, be forthcoming in the county where such bond is taken, for the benefit of the person or persons who may then be entitled to such remainder, reversion or executory devise, which bond shall be recorded in the office of the register of wills of the said county; and any person interested in said remainder, reversion or devise, shall be entitled to a copy of said bond, and a certificate from the register, under his hand and the seal of his office, upon which copy and certificate, an action may be maintained in the name of the state, for the use of the party interested, and judgment may be recovered upon such action for the damage actually sustained.

Orphans court before giving order, guardian, to execute a bond.

CHAPTER 222.

An Act for the Closing of L Alley in the City of Baltimore, and for other purposes.

Passed Feb. 11, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That it shall and may be lawful to Richard Norris, William George Read and Sophia Catharine, his wife, of the city of Baltimore, and John H. Bernard, of Virginia, trustee for

Made lawful.

M'Gay R. Tiernan, proprietors of the lots lying on the east side of Charles street, in the city of Baltimore, between Hamilton and Centre streets, to close and include within the lines of their respective lots extended eastwardly, to the bed of L alley, as the same was originally laid out by the commissioners for dividing the estate of the late Col. John E. Howard; and also, so much of the bed of M alley, as lies west of a line drawn parallel with Charles street, at the distance of one hundred and twenty-eight feet, east therefrom, from Hamilton to Centre street.

Condemned and made public.

SEC. 2. *And be it enacted*, That an alley twelve feet wide, extending from Hamilton to Centre street, parallel to, and one hundred and twenty-eight feet east from Charles street, be and the same is hereby condemned and made public, and subjected to all the laws and ordinances of this state, and the city of Baltimore, relative to streets, lanes and alleys within the said city; *provided*, that the said Richard Norris, William George Read, and wife, and John H. Bernard, shall file, or cause to be filed in the office of the Register of the city of Baltimore, a plat of said alley, accurately describing it by metes and bounds, by the name of L alley.

Proviso.

CHAPTER 223.

Passed Feb. 26, 1845.

An Act to close Richmond street or Road, in the City of Baltimore,—and to open part of Garden street.

Made lawful.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That it shall and may be lawful for John Gibson, Edmund Didier, trustee of Maria Didier, John B. Morris, William A. Moale, Thomas Oliver, for himself, and as trustee of Margaret, wife of Roswell L. Colt, and Emily, wife of Robert M. Gibbs, and Henry Tiffany, the proprietors of the land, fronting on each side of that portion of the road or street, called Richmond street, lying north west of Biddle street, in the city of Baltimore, and to their heirs and assigns, proprietors as aforesaid, to close all the above mentioned portion of said road or street.

Proprietors. entitled to one half of road.

SEC. 2. *And be it enacted*, That the proprietors of the ground on each side of said road or street, shall be respectively entitled to one half of said road or street, lying in front of their several lots of ground.

Public highway.

SEC. 3. *And be it enacted*, That from and after the passage of this act, all that part of the street called Garden street, as located by the extension commissioners, under the act of eighteen hundred and seventeen, which passes through the property of the above mentioned persons, shall be a public highway forever.

CHAPTER 224.

A Supplement to an act entitled "An act to provide for the extension of the Bel-Air Market Space in the City of Baltimore." Passed Feb. 28, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the Mayor and City Council of Baltimore be, and are hereby authorised to proceed to condemn and appropriate for the purpose of extending the Bel-Air market space in the city of Baltimore, the property in said city embraced within the following description, viz: beginning for the southwestermost side of said contemplated extension, at a point on the northwest side of north Gay street, where the southwest side of the present Bel-Air market space, if extended, would intersect the northwest side of north Gay street, and running northwesterly with the same range of the said market space, until it intersects the south west side of Forrest street, and thence with the southwest side of Forrest, to the southermost intersection of Forrest and Hillen streets, and beginning for the northeastermost side of said contemplated extension, at a point forty feet northeasterly on the northwest side of north Gay street, from where the northeasternmost side of the present market space, would intersect the said northwest side of north Gay street if extended, and running thence northwesterly until it intersects the southeasterly side of Hillen street, at a point one hundred and sixty feet from the southeasternmost corner of Forrest and Hillen streets. Authorised to condemn property.

SEC. 2. *And be it enacted*, That the mode of proceeding in the condemnation contemplated by this act, shall be in every respect, conformable, and according to the directions and provisions of the original act to which this is a supplement. Mode of proceeding.

CHAPTER 234.

A further Supplement to the act entitled "An act to facilitate the Collection of a portion of the Tax, levied in pursuance of the act, passed at March session eighteen hundred and forty-one, chapter twenty-three." Passed March 5, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That an annual tax for the use of the state, of twenty-five cents, or one fourth of one per centum, be and the same is hereby imposed on every hundred dollars worth of the stock loans of the city of Baltimore, according to the assessed and corrected value thereof. Tax imposed.

SEC. 2. *And be it enacted*, That it shall be the duty of the Register of the city of Baltimore, within one month after the first day of April next, and within one month after the first day of April, annually thereafter, to make out and deliver to Register to make a list of the holders of stock loans.

the appeal tax court for the city of Baltimore, a full and accurate list of the holders of the stock loans of said city, on the first day of April, in the year for which said list is made, showing the several amounts held by the said stockholders respectively.

Appeal tax court to examine list of Register.

SEC. 3. *And be it enacted*, That the said appeal tax court shall in each and every year, carefully examine the said list delivered to them by the said Register, under the preceding section of this law, and correct the same, by striking out therefrom, all the holders of said stock, who may be exempt from taxation on said stock under the laws of this state, and the said appeal tax court shall annually, on or before the first day of June, deliver one copy of the said list as corrected by them, to the said Register, and one copy thereof to the treasurer of Maryland; and the said appeal tax court shall also distinctly set forth in each of said copies, the assessed value of the stock mentioned therein.

Register to pay to State Treasurer the interest due annually.

SEC. 4. *And be it enacted*, That it shall be the duty of the said Register, on the first day of July, in each and every year after the passage of this act, to set apart, and pay over to the treasurer of this state, out of the funds in his hands, for payment of the interest becoming annually due, and payable on the first day of July, on the said stock loan of the city of Baltimore, the amount of tax imposed by, and due under this act, on all that part of said stock loan, included in the said corrected list returned to him by the appeal tax court, and it shall also be the duty of said Register, or of such other officer or officers of said city as may be charged with the duty of paying said interest, to deduct from the interest due and payable on the first day of July, annually, to each and every holder or holders of all that part of said stock loan included in said corrected list, his, her, or their respective proportion of the amount so retained and paid to the treasurer as aforesaid.

If register fail or neglect to make out a list of holders of stock, duty of appeal tax court.

SEC. 5. *And be it enacted*, That if the said Register shall at any time fail or refuse to make out and deliver to the appeal tax court, the list of holders of the said stock loan as required by this act, it shall be the duty of the said appeal tax court, to ascertain in such manner as they may deem most accurate and satisfactory, the amount of the said stock loans of the city of Baltimore, outstanding on the first day of April, of the year in which said failure or refusal shall take place, and on or before the first day of June in said year, to make out and deliver one copy of a statement certified by them, showing the amount of said stock so ascertained by them, and its assessed value to the said Register, and one copy thereof to the treasurer of the state, and it shall be the duty of said Register, to set apart and pay over to the treasurer of the state, the amount of tax due under the first section of this law, on the whole of the said stock loan included in said statement at the same

time, and in the same manner in every respect, as he is hereinbefore directed to set apart and pay over the tax on that part of said stock loan which may be included in any corrected list of stockholders, delivered to him by the appeal tax court, by virtue of this act; *provided*, that the said Register shall not be required to set apart and pay over as aforesaid, the said tax on any part of said stock loan, which he may satisfy the treasurer by a certificate to that effect, signed by the appeal tax court, or by other satisfactory evidence, was held on the first day of April, in the year for which the said tax may become due by any person or persons, corporation or corporations, entitled under the laws of this state, to hold the same free and exempt from state taxation. Proviso.

SEC. 6. *And be it enacted*, That for the performance of the duties imposed upon them by this act, each member of the appeal tax court shall receive annually, out of the treasury of this state, the sum of fifty dollars, and the Register of the city of Baltimore to be paid in like manner, the sum of three hundred dollars, which sums, the treasurer of this state is hereby directed to pay each of said officers respectively, on the first day of January in each year, during the continuance of this act, commencing on the first day of January next, after the passage of this act. Each member of Tax court to receive $50 annually. Register $300.

CHAPTER 236.

A further additional Supplement to the act entitled "An act for the General Valuation and Assessment of property, and to provide a tax to pay the debts of the State,"—passed at March session, eighteen hundred and forty-one, chapter twenty-three. Passed March 5, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That if in the several counties of this state, Howard district and the city of Baltimore, collectors of the taxes now imposed, or to be imposed by law, for the use of this state, shall not have been duly appointed and qualified, as by the present laws are directed, it shall and may be lawful for the governor, and he is hereby authorised and required, on the first day of May, next ensuing the passage of this act, or as soon thereafter as conveniently may be, to appoint a collector or collectors for such county, district, or city, as the case may be, and the collector or collectors so to be appointed, shall give bond to be executed by him or them, with a surety or surities to be approved by the governor, or some judge of the county, city, or district court, for which the collector or collectors may be appointed, and to be recorded as required by the original act, a copy of which bond certified by the clerk Governor to appoint collectors, if the counties &c. do not. Give bond.

in whose office the same may be recorded, shall be by him forthwith transmitted to the treasurer and the governor of this state, and the collectors so to be apponted, shall have all the powers, capacities, and privileges, which are possessed and enjoyed by collectors appointed under the original act, or any of its supplements, together with those which are hereinafter conferred upon them.

Powers conferred.

Governor not restricted.

SEC. 2. *And be it enacted*, That in making the said appointments, the governor shall not be restricted to any particular county, district or city, but shall be at liberty to appoint a collector or collectors for any county, district or city, from such county, district or city, or from any other part of this state.

Collectors fail or refuse to bond, others to be appointed.

SEC. 3. *And be it enacted*, That if the collector or collectors appointed by the governor, under and by virtue of this act, shall fail or refuse to qualify by giving bond within thirty days after their appointment, it shall and may be lawful for the governor to appoint others in their places, and so from time to time after every interval of thirty days until duly qualified collectors shall be appointed throughout the state, and the same power shall and may be exercised by the governor, annually, whenever and as often as the levy courts, commissioners of the tax, and the Mayor and City Council of Baltimore shall neglect or be unable to procure duly qualified collectors by the first day of May, in each and every year.

Distress or execution for taxes.

SEC. 4. *And be it enacted*, That whenever and as often as any collector of the taxes levied for the use of this state, shall find it necessary to proceed by way of distress or execution to collect taxes now due or to become due, he shall first leave with the party by whom the said taxes are to be paid or at his usual place of abode, a statement showing the aggregate amount of the property of every description, with which such person is assessed, and the amount of taxes due thereupon, with a notice to the said statement annexed, that unless the taxes so due, are paid within thirty days thereafter, the said collector will proceed by way of distress or execution to collect the same.

Collectors authorised to levy upon real or personal property.

Give twenty days notice.

SEC. 5. *And be it enacted*, That after the proceedings required by the preceding section shall have been had, if the said taxes are not then paid, the said collectors are hereby authorised and required to levy upon either the real or personal property of the delinquent, and expose the same to public sale, either on the premises, or at the court house door of the county, district or city, as the case may be, after giving twenty days notice of the time and place of sale by advertisement in at least one newspaper in the county, district or city, where a newspaper is published, and also by notice stuck up at the court house door, and in case no newspaper is printed in the county or district, then, in addition to the notice at the court house door, at two other public places in the neighbourhood of

the same, and the said collector shall then and there proceed to sell by public auction, the property either real or personal, so levied on, for cash to the highest bidder, retaining out of the proceeds of such sales, the amount of the taxes due from such delinquents, with the interest thereon, together with all the costs incurred by the said collector in making the sale, returning the excess, if there be any, to the owner or owners thereof.

Sell by public auction.

SEC. 6. *And be it enacted*, That in all cases of the sale of real estate, under the provisions of this act, or the original act or any of its supplements, the party or parties owning the same, prior to the sale, shall be and they are hereby authorised to redeem the said real estate, by paying to the purchaser thereof, within the period of twelve calender months from the date of such sale, the amount of the purchase money for which the same may have been sold, with interest thereon at the rate of fifteen per centum per annum, from the date of the sale.

Real estate to be redeemed in 12 callender months.

SEC. 7. *And be it enacted*, That in all cases of the sale of personal property under the provisions of this act, or the original act, or any of its supplements, the said collector or collectors are hereby authorised and required to deliver possession thereof to the purchaser or purchasers, but in case the said property is not present, or if for any other reason it shall not be in the power of the collector to deliver possession as aforesaid, the purchaser or purchasers may recover possession of the same by action of replevin, in any court having jurisdiction in such cases, together with damages for the detentions thereof, from the time of the sale, or may recover the value thereof, and damages, in an action of trover.

Collectors authorised to deliver possession to purchasers.

SEC. 8. *And be it enacted*, That in all cases of the sale of real estate, as aforesaid, if the owner or owners shall not redeem the same within the time, and upon the terms aforesaid, the purchaser or purchasers thereof, shall be, and they are hereby authorised to recover the possession, (if the same be withheld,) by action of ejectment; and in all such cases, and also in the cases contemplated by the preceding section, the plaintiffs shall be entitled to recover, upon producing the receipt of the collector for the purchase money, describing with reasonable certainty, the property sold, and upon showing on the part of the collector making the sale, a substantial compliance with the requisitions of this act.

Recover possession by ejectment.

SEC. 9. *And be it enacted*, That if any person or persons, shall resist, attack, or menance with violence, any collector or collectors, in the discharge of the duties required of them by this act, or the original act, or any of its supplements; or shall resist, attact, or menance with violence, any person or persons present, and bidding or proposing to bid at any sale of property by any such collector; then and in any such case,

Persons resisting collectors.

Collector summons for his defence a posse comitatus.

it shall and may be lawful for the collector, to summon for his, or their defence, the posse comitatus, and each person so summoned shall be allowed fifty cents per day, to be levied on the county, district or city, as other charges; and in case any person upon being summoned, shall refuse to serve, the person so refusing, shall be liable to a fine of five dollars, to be recovered before any justice of the peace; one half to the use of the party prosecuting, and the other half to the county.

Fine.

Assaulting a collector &c. subject to fine of not less than $100, or more than 500.

SEC. 10. *And be it enacted*, That if any person shall strike or assault a collector in the discharge of his duty, or shall strike or assault any individual serving as one of the posse comitatus as aforesaid, or shall strike or assault any person, to deter or prevent his bidding at a collector's sale, or for having bid at such sale; in every such case the party offending, shall be subject to a fine of not less than one hundred dollars or more than five hundred dollars, and imprisoned for not less than two, nor more than twelve months.

Imprisonment

Delinquents to pay sums due in cash.

SEC. 11. *And be it enacted*, That in case of any collector or ocllectors shall hereafter pay into the treasury in cash, any sum or sums of money now due or hereafter to become due for taxes levied or to be levied for the use of this state, at or after the period limited by law for that purpose, and before he shall have collected the same from the several persons charged therewith, then and every such case, the right of the delinquent tax payer, to pay in coupons or certificates of interest due from this state, shall be taken away, and such delinquents shall be required to pay the several sums of money due from them for taxes, in cash, and shall be liable to be proceeded against in manner aforesaid, in case of refusal.

Taxes to be levied and collected.

SEC. 12. *And be it enacted*, that if in any of the counties, the state taxes directed to be levied and collected for the years eighteen hundred and forty-one, eighteen hundred and forty-two, eighteen hundred and forty-three, and eighteen hundred and forty-four, have not been levied and collected as required by law, then and in all such cases, the said taxes shall be levied and collected as follows: that is to say, the sum of twenty cents on every hundred dollars worth of assessable property within such county, with the commission allowed by law thereon for the use of the collector, shall be levied and collected with the taxes for the year eighteen hundred and forty-five; and the sum of twenty-five cents on every hundred dollars worth of assessable property within such county, with the commissions allowed by law thereon for the use of the collector, shall be levied and collected with the taxes for the year eighteen hundred and forty-six; and the sum of twenty-five cents on every hundred dollars worth of assessable property in such county, with the commissions allowed by law thereon for the use of the collector, shall be levied and collected with the taxes for the year eighteen hundred and forty-seven; and the

sum of twenty-five cents on every hundred dollars worth of assessable property in such county, with the commission allowed by law thereon, for the use of the collector, shall be levied and collected with the taxes for the year eighteen hundred and forty-eight; the said several instalments of arrears, with interest, to be paid into the treasury, together with the state taxes, which shall or may be directed to be levied in and for the said years eighteen hundred and forty-five, eighteen hundred and forty-six, eighteen hundred and forty-seven, and eighteen hundred and forty-eight.

Remedy to enforce the collecton of the taxes.

SEC. 13. *And whereas*, doubts have been expressed in reference to the true construction of the eighth section of the act, passed at December session, eighteen hundred and forty-three, chapter two hundred and eight, for remedy whereof and to enforce the collection of the taxes in the manner therein pointed out; *be it enacted*, that the taxes for the years eighteen hundred and forty-one, and eighteen hundred and forty-five, shall be considered one year in arrear on the first day of January, eighteen hundred and forty-six; the taxes for the years eighteen hundred and forty-two, and eighteen hundred and forty-six, shall be considered one year in arrear on the first day of January, in the year eighteen hundred and forty-seven; the taxes for the years eighteen hundred and forty-three, and eighteen hundred and forty-seven, shall be considered one year in arrear on the first day of January, in the year eighteen hundred and forty-eight; and the taxes for the years eighteen hundred and forty-four, and eighteen hundred and forty-eight, shall be considered one year in arrear on the first day of January, in the year eighteen hundred and forty-nine, and if the said taxes are not paid to the agent or agents, appointed or to be appointed by the treasurer, as provided by the second section of the said act of eighteen hundred and forty-three, chapter two hundred and eight, then and in all such cases, immediately after the said first days of January, in the respective years, eighteen hundred and forty-six, eighteen hundred and forty-seven, eighteen hundred and forty-eight, and eighteen hundred and forty-nine, the proceedings directed by the eighth section of the said act of eighteen hundred and forty-three, chapter two hundred and eight, shall and may be had.

Similar proceedings had in counties where there are no collectors.

SEC. 14. *And be it enacted*, That similar proceedings may and shall be had in all those counties, in which there are no collectors, whether there be an agent or agents in those counties or not, it being the intention of this act, that the compulsory proceedings authorised by the eighth section of the said act of eighteen hundred and forty-three, chapter two hundred and eight, shall be had in each and every county of the state, in which there may not be a duly qualified collector or collectors: *Provided however*, that in those counties in which there are no duly qualified agents, the several tax payers of such

Proviso.

counties, shall be and they are hereby authorised to pay the sums due from them for taxes to the clerks of said counties, who shall receive and pay the same into the treasury, on the first days of July, October, January, and April, in each year, and on failure, their bonds shall be put in suit, with an allowance to the said clerks of one per centum on the amount so received, and paid into the treasury.

Not restricted to any particular county, district, &c.

SEC. 15. *And be it enacted*, That in the execution of the powers conferred upon the governor, by the twelfth section of the said act of eighteen hundred and forty-three, chapter two hundred and eight, he shall not be restricted to any particular county, district or city, but he shall be at liberty in the selection of the persons to discharge the duties prescribed by the said twelfth section, to take them from any part of the state.

Collector to have power to summons &c.

SEC. 16. *And be it enacted*, That if any collector or collectors shall have good reason to believe, that he will be resisted by violence in the discharge of his duties in making sales under this act, then and in all such cases, the said collector or collectors shall have power and authority prior to the day of sale, to summon the posse comitatus for his protection and the protection of peaceable persons attending such sale, and the said posse when so summoned and attending, shall be paid in like manner, as hereinbefore provided, and shall be liable to be proceeded against, as also hereinbefore provided, for failing or refusing to attend.

Agents to receive bonds or sealed notes for taxes.

SEC 17. *And be it enacted*, That the agents to receive taxes in the several counties of this state, may receive from the taxable inhabitants thereof, their bonds or sealed notes, payable in not more than one year from their dates, for the sums due and in arrear from them for taxes for the years eighteen hundred and forty-one, eighteen hundred and forty-two, eighteen hundred and forty-three, and eighteen hundred and forty-four, with interest on each years taxes fron the end of each year, which bonds or notes, it shall be the duty of the said agents, to deposit with the clerks of the several county courts, taking from them duplicate receipts therefor, of which one shall be kept by the said agent, and the other transmitted by him to the treasurer of this state.

Notes or bonds to be liens on real and personal estate.

SEC. 18. *And be it enacted*, That the said notes or bonds shall be liens on the real and personal estate of the party or parties signing the same, and that from time to time, and as often as the said notes or bonds become due, it shall be the duty of the said clerks, if the said bonds or notes are not paid to the said clerks within the period of thirty days thereafter, to issue executions thereupon, as upon judgments rendered in their respective courts, which executions shall be placed in the hands of the sheriffs of the counties, who shall proceed to make the money upon them, as upon other writs placed in their hands for execution, and it shall be the duty of the said

sheriffs to pay the money, which they shall make upon the said executions, to the clerks of their several counties, who shall account for and pay the same to the treasurer of this state on the first days of July, October, January and April, in each and every year, after deducting therefrom as a compensation for the service imposed upon them by this act, a commission of one per centum, and in case of failure to account and pay as aforesaid, within ten days after the periods above limited for that purpose, the bonds of the clerk so failing shall be put in suit, and a recovery had thereupon for the whole amount due, with interest at the rate of fifteen per centum per annum, from the time of such default.

Money to be paid to Treasurer of the State.

Sec. 19. *And be it enacted*, That it shall be the duty of the clerks of the levy courts, and of the commissioners of the tax of the several counties of this state, and of Howard district, and of the appeal tax court of Baltimore, to transmit to the treasurer of this state annually, within thirty days after the annual levy of the taxes for this state, a return of the assessments of the property in each county, Howard district, and the city of Baltimore, showing the amount thereof, and also the amount of the taxes levied for the use of this state, and placed in the hands of each collector of such county, district or city for collection, and for neglecting or refusing to perform this duty, the clerk so neglecting or refusing, shall be subject to presentment, and upon conviction thereof in the county court of the county, Howard district, or the city court of Baltimore, to a penalty of one hundred dollars for the use of this state.

Transmit to the Treasurer annually the anuual levy of taxes for this State.

Sec. 20. *And be it enacted*, That it shall be the duty of the deputies of the attorney general, to give information of such neglect or refusal to the grand jury of the proper county, district or city, upon being advised of such neglect or refusal, by the treasurer of this state.

Deputies of the attorney General to give information to Grand Jury.

CHAPTER 237.

An Act imposing a Tax on Collateral Inheritances, Distributive Shares and Legacies, to aid in paying the Debts of the State.

Passed Feb. 26, 1845.

Section 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of June next, all estates, real, personal and mixed, money, public and private securities for money, of every nature and kind whatsoever, passing from any person who may die seized and possessed thereof, being in this state, either by will or under the intestate laws of this state, or any part of such estate or estates, money, or securities as aforesaid, or interest therein, transferred by deed, grant, bargain, gift, or sale, made or intended

After 1st June a tax imposed on all estates, money, &c.

to take effect in possession or enjoyment after the death of the grantor, bargainor, devisor, or donor, to any person or persons, or bodies politic or corporate, in trust or otherwise, other than to or for the use of the father, mother, wife, children, and lineal descendants, born in lawful wedlock, of the grantor, bargainor, devisor, donor or intestate, shall be and they are hereby made subject to a tax or duty of two and one-half per centum on every hundred dollars of the clear value of such estate or estates, or money or securities as aforesaid, to be paid to the use of this state; and all executors and administrators and their sureties, shall only be discharged from liability of the amount of such tax, the payment of which they may be charged with, by paying the same over for the use of this state, as hereinafter directed; *provided*, that no estate which may be valued at a less sum than five hundred dollars, shall be subject to the duty or tax aforesaid.

Proviso.

Executors and administrators to pay two and a half per centum.

SEC. 2. *And be it enacted*, That from and after the said first day of June next, all and every executor and executors, administrator and administrators, to whom letters testamentary or of administration shall be granted, shall before he, she or they pay any legacy or distribute the shares of any estate, passing as aforesaid, pay to the register of wills of the proper county, or of Howard district, whose bonds shall be liable therefor, two and one-half per centum, out of every hundred dollars they may hold for distribution, among the distributees, grantees, donees or legatees, and at and after that rate for any less sum, for the use of this state, for which payment the said register shall give duplicate receipts, one of which shall be forwarded by the said executor or executors, or administrator or administrators, to the treasurer of this state; the said register keeping a record thereof, on the account filed by such executors or administrators, which shall be a full discharge of the executors or administrators so paying for the amount of such receipt; and when any species of property, other than money or real estate, shall pass as aforesaid, the tax or duty shall be paid on the appraised value thereof, as filed in the register's office of the proper county, and all executors and administrators, shall have full power and authority to sell if necessary so much of said property as will enable him, her or them, to pay said tax or duty, distributing any balance left in their hands, as is or may be directed by law, and the amount of the said tax or duty shall be paid over as before directed; and moreover, it is hereby made the duty of all executors and administrators to lodge information with the levy court, or commissioners of the county, or Howard district, or the appeal tax court of Baltimore, of any and all real estate of every kind, of which their respective testators or intestates have died seized or possessed, and which has passed to any person or persons, or bodies politic or corporate,

Executors and administrators have power to sell property to pay tax or duty.

in trust or otherwise obtained, other than those mentioned in the first section of this act, without delay, from the time the same has come to his, her or their knowledge.

All sums of money to be paid to the Treasurer.

SEC. 3. *And be it enacted*, That it shall be the duty of the said register, on the first days of January, April, July, and October, in each and every year, to pay over to the treasurer of this state, all sums of money paid to and received by them under the provisions of this act; and on failure, their bonds shall be liable to be put in suit, and a recovery had thereon, for the amount which they may so fail to pay over, with interest at the rate of ten per centum per annum, from the time of such default.

Levy courts, &c. take an account of real estates liable to the tax.

SEC. 4. *And be it enacted*, That it shall be the duty of the respective levy courts, or commissioners of the tax of the several counties, and of Howard district, and the appeal tax court of Baltimore, in each and every year, commencing with the first day of June next, diligently to enquire after and take an account of all real estates, which may be liable to the tax or duty under the provisions of this act, otherwise than is mentioned in the first section of this act, and also of any such estate or estates, which may have come to their knowledge, upon the information of any executor or executors, administrator or administrators, or otherwise; and the said levy courts or commissioners, and the appeal tax court, shall put a fair and just valuation on the same, according to the market price thereof, and when the first annual assessment or tax is imposed for the counties, district, and the city of Baltimore, the said levy courts, commissioners, and Mayor and City Council of Baltimore, shall impose a tax on the said real estate so valued as aforesaid, of two and one-half per centum on every hundred dollars of the clear value of such estate, and at and after the same rate for any less amount, to be collected and paid for the use of this state, in the manner and at the times fixed for payment of the tax imposed by the act passed at March session, eighteen hundred and forty one, chapter twenty-three, entitled, an act for the general valuation and assessment of property in this state, and to provide a tax to pay the debts of the state, and its supplements.

Fair and just valuation.

Two and one-half per centum on every $100.

Tax a lien on real estate.

SEC. 5. *And be it enacted*, That the amount of the said tax or duty, shall be and remain a lien on the real estate so made subject to the tax, from the death of the testator or intestate, who shall have died, seized or possessed of such estate, until the same shall be fully paid and satisfied.

Executors and administrators to take an additional oath or affirmation.

SEC. 6. *And be it enacted*, That it shall be the duty of every executor and administrator, to whom letters testamentary or of administration shall be granted in addition to the oath or affirmation now required by law, to take an additional oath or affirmation, that he or she will diligently and faithfully regard, and well and truly comply with the provisions of this act;

which oath or affirmation, the respective registers of wills are hereby authorised and required to administer, and to place the same on record, with the usual oath or affirmation.

CHAPTER 240,

Passed March 6, 1845.

An Act to limit the number of Judges in Baltimore City Court to Two.

After vacancy there shall be but 2 judges.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That after the happening of a vacancy on the bench of Baltimore city court, that court shall be constituted of two judges, one of whom shall be the chief judge, and the other associate judge thereof.

One or both judges to hold court.

SEC. 2. *And be it enacted*, That either, or both of the aforesaid judges, shall be competent to hold the said court, and to exercise all the powers, and to perform all the duties appertaining thereto.

CHAPTER 241.

Passed March 6, 1845.

An Act to provide for the appointment of Justices of the Peace, and of Constables, for Canton, in Baltimore County.

Governor to appoint two justices of the peace.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the governor, by and with the advise and consent of the senate, shall appoint two justices of the peace, to reside in Canton, in Baltimore county; one of whom shall be a resident of the city of Baltimore, and the other a resident of that part of the county which lies outside of the said city.

Baltimore city court to appoint a constable.

SEC. 2. *And be it enacted*, That Baltimore city court shall appoint a constable to reside in Canton, but within the limits of the city of Baltimore; and the commissioners of Baltimore county shall appoint a constable, who shall reside outside of the limits of the said city, and within the limits of Canton.

CHAPTER 245.

Passed March 7, 1845.

An Act to make Coupons and Certificates of Interest receivable in payment of Taxes,—without distinction of years.

Coupons and certificate of interest receivable in the payment of taxes.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, coupons of interest on any of the bonds of this state, and also certificates of interest, issued and to be issued by the commissioner of loans, shall be receivable in payment of taxes now due to

this state, or hereafter to become due, without distinction of years.

SEC. 2. *And be it enacted*, That so much of the first section of the act of eighteen hundred and forty-two, chapter one hundred and eighty-nine, as is inconsistent with the provisions of this act, be and the same is hereby repealed. Repealed.

CHAPTER 246.

An act Supplementary to an act for the General Valuation and Assessment of Property, and to provide a Tax to pay the Debts of the State,—passed at March session, eighteen hundred and forty-one, chapter twenty-three. Passed March 6, 1845.

Whereas, much doubt has existed in regard to the true interpretation of the act of eighteen hundred and forty-one, chapter twenty-three, whether the twenty cents on the one hundred dollars, thereby directed to be levied, as a direct tax, included the commissions allowed to collectors, or whether such commissions were to be paid by an additional levy: *And whereas*, the court of appeals has recently decided that the said act designed that the clear sum of twenty cents on the one hundred dollars, should be paid into the treasury—Therefore, Preamble

Be it enacted by the General Assembly of Maryland, That the Mayor and City Council of Baltimore, and the levy courts or commissioners, as the case may be, of any county or district, where a levy has not been made for the payment of the commissions to the several collectors of the direct tax, as recited in the foregoing preamble, be and they are hereby authorised and directed to levy a tax for the purpose of paying said collectors, according to the provisions of the forty-seventh section of said act of eighteen hundred and forty-one. Authorised and directed to levy a tax.

CHAPTER 247.

An act Supplementary to an act entitled, "An act to provide for the better regulation of Free Negroes and Mulatto Children within this State"—passed at December session, eighteen hundred and forty-two, chapter 35. Passed March 8, 1845.

Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, it shall and may be lawful for any master, or the executor, administrator or assignee, of any master of any negro or mulatto, apprentice bound under the laws of this state to assign, sell and transfer to any other person residing in the same county such apprentice: Made lawful.

Proviso. *Provided*, the Orphans court of the county, where the master, executor, administrator or assignee aforesaid may reside, assent thereto, and enter the same upon the minutes of their proceedings.

CHAPTER 251.

Passed March 7. 1845. An act Supplementary to an act, entitled "An Act declaratory of the act of the General Assembly,—passed at December session, eighteen hundred and forty-one, chapter three hundred and twenty-five."

Repealed. *Be it enacted by the General Assembly of Maryland*, That so much of the act of December session, eighteen hundred and forty-two, to which this act is a supplement, and which provides for the rating of ground rents and income and to be taxed as such, be and the same is hereby repealed.

CHAPTER 253.

Passed March 8, 1845. An Act to secure the payment of the Income Tax by the Officers of Incorporated Companies, and explanatory of certain acts of Assembly, therein mentioned.

Preamble. *Whereas*, doubts have arisen as to the true construction of the act of assembly, passed at December session, eighteen hundred and forty-one, chapter three hundred and twenty-five, and of the act passed at December session, eighteen hundred and forty-two, chapter two hundred and ninety-four, to remove said doubts and to render more plain and manifest the intention of said acts.

Officers of the incorporated companies not exempted. SECTION 1. *Be it enacted by the General Assembly of Maryland*, That said acts of assembly shall not be deemed to except and exempt the officers of incorporated companies or institutions from the payment of the income tax, and that all salaries and emoluments of any office held by or under any incorporated institution or company, shall be taxed according to the provisions of the said acts.

Where not exempted. SEC. 2. *And be it enacted*, That according to the true construction of said acts, said officers of incorporated companies and institutions, were not exempted from the tax thereby imposed.

CHAPTER 255.

An Act relating to Lotteries.

Passed March 7, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, all lottery tickets, or parts of lottery tickets in the consolodated lotteries of this state, or in any other lotteries that may be hereafter authorised in this state, shall be authenticated by the signatures of one at least, of the commissioners of lotteries, either written or stamped.

Lottery tickets to have signatures of the commissioners.

SEC. 2. *And be it enacted*, That all acts inconsistent herewith, be, and the same are hereby repealed.

Repealed.

CHAPTER 260.

A Supplement to an act, entitled, "An act to Tax the Commissions of certain Officers of this State."

Passed March 8. 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That so much of the third section of the act entitled, an act to tax the commissions of certain officers of this state, passed at December session, eighteen hundred and forty-three, chapter two hundred and eighty-four, as requires the clerks of the several county courts of this state, to pay all sums received by them under the provisions of the said act, into the treasury, within twenty days after the same shall have been received by them, be and the same is hereby repealed.

Repealed.

SEC. 2. *And be it enacted*, That the said clerks shall hereafter, semi-annually, on the first day of May, and first day of November, in each and every year, make return of, and pay over to the treasurer, all monies they may have received under the provisions of the aforesaid act.

Clerks shall pay over all monies received to treasurer.

CHAPTER 273.

An act to encourage the more effectual apprehending of Runaway Servants and Slaves.

Passed March 10, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, the sum allowed for seizing, taking up and securing any runaway slaves, between the ages of fifteen and forty five, more than twenty, and less than thirty miles from the residence of the owner of such runaway, or the place where such runaway may have lived or been hired, shall be fifteen dollars; if under fifteen or more than forty-five years of age, seven and a half

Fifteen dollars

dollars; if such runaway be apprehended more than thirty miles from the residence of his or her owner, or the place where he or she may have lived or been hired, the sum allowed shall be fifty dollars; if such runaway be more than fifteen or under forty-five, and if under fifteen or over forty-five, twenty-five dollars; *provided*, that no reward shall be paid or claimed under this act, for taking up any slave in the county in which the said slave is hired, or in which his owner resides.

Proviso.

One hundred dollars.

SEC. 2. *And be it further enacted*, That in all cases where a runaway slave from this state be apprehended within the limits of a free state, the sum allowed for seizing, taking up and sucuring such runaway slaves, shall be one hundred dollars; or one half of the value of such slave arrested at the option of the owner, which, however, shall not apply to the counties of this state, bordering on the Pennsylvania line; *provided*, in all cases where a slave may have been advertised as a runaway, in a sum greater than is allowed by this act, the said sum shall be considered and deemed as including the amount to which the person so seizing, taking up and securing said runaway, would be entitled to under this act.

Proviso.

Deemed a runaway.

SEC. 3. *And be it further enacted*, That in all cases where a slave is within a free state, and one hundred miles from the residence of his owner, he shall be deemed a runaway.

CHAPTER 280.

Passed March 10, 1845.

An Act imposing Duties on Promissory Notes, Bills of Exchange, Specialities, and other instruments of Writing, to aid in paying the Debts of the State.

Rates of levy.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the tenth day of May next, there shall be levied, collected, and paid in this state, the several stamp duties, following: For every skin or piece of vellum or parchment, or sheet or piece of paper or other material, upon which shall be printed or written, any or either of the instruments of writing following, to wit: On any bond, obligation, single bill or promissory note or notes, made or executed in this state above one hundred dollars, and not made or issued by any incorporated bank of this state, and on any foreign or inland bill of exchange, or other evidence of debt above hundred dollars, whether endorsed or otherwise, and whether made or issued by any incorporated institution, individual or firm, according to the following scale: that is to say, if not exceeding two hundred dollars, ten cents; if above two hundred dollars and not exceeding three hundred dollars, fifteen cents; if above three hundred dollars and not exceeding five hundred dollars, twenty-five cents; if above five hundred dol-

lars, fifty cents; if above one thousand dollars and not exceeding fifteen hundred dollars, seventy-five cents; if above fifteen hundred dollars and not exceeding two thousand dollars, one dollar; if above two thousand dollars and not exceeding three thousand dollars, one dollar and fifty cents; if above three thousand dollars and not exceeding four thousand dollars, two dollars; if above four thousand dollars and not exceeding five thousand dollars, two dollars and fifty cents; if above five thousand dollars and not exceeding seven thousand dollars, three dollars and fifty cents; if above seven thousand dollars and not exceeding eight thousand dollars, four dollars; if above eight thousand dollars and not exceeding ten thousand dollars, five dollars and fifty cents; and if above ten thousand dollars, six dollars: *Provided*, that nothing herein contained, shall be construed to charge a duty, or to require to be stamped any bond of this state, or certificate of debt issued by the state, in pursuance of any law of this state, or any certificate or evidence of the debt of the city of Baltimore, or of any other of the incorporated towns or cities in this state, or the certificates of the stock of the banks or other incorporated institutions of this state, or to any check payable at sight upon any bank, company or banker in this state, or to charge with a duty, any second, or other copy of a bill of exchange. Proviso.

Commissioner of loans to provide marks and stamps.

Sec. 2. *And be it enacted*, That it shall be the duty of the commissioners of loans, or of some officer to be appointed by the governor, to cause to be provided, so many marks and stamps differing from each other, as shall correspond with the several rates of duty aforesaid; that is to say, one mark or stamp for each distinct rate of duty, with which marks and stamps respectively, shall be marked or stamped, all vellum, parchment or paper, or other material, upon which shall be written or printed, all or any of the instruments, writings, matters or things hereinbefore enumerated and charged, according to the nature and description thereof, which said several marks and stamps shall be notified by a public notification or advertisement, to be issued by the commissioner of loans, or other officer to be appointed by the governor as aforesaid, and inserted in at least two newspapers, printed in the city of Baltimore, and one newspaper in each county in this state, where a newspaper is printed, and for not less than thirty days before the said tenth day of May next, to the end, that all persons may have due notice thereof, and which said marks and stamps shall and may be altered or renewed from time to time, as the said commissioner of loans, or other officer to be appointed by the governor, shall think fit, so that like public notification thereof be made before such new stamps or marks shall begin to be used.

Parchment, &c., furnished by the state.

SEC. 3. *And be it enacted*, That all the paper, parchment, or vellum, or other material, required for the purposes of this act, shall be furnished at the expense of this state by the treasurer thereof, who is hereby authorised to expend annually a sufficient sum for that purpose, and for defraying the expense of stamping, as required by this act.

Paper &c. to be forwarded to clerks.

SEC. 4. *And be it enacted*, That the paper, parchment, vellum or other material, when so stamped under the direction of the commissioner of loans or other officer, to be appointed by the governor, shall be by the said commissioner of loans or other officer, distributed to the clerks of the several counties of this state, and of Howard district and of the city of Baltimore, in convenient and necessary quantities, taking duplicate receipts from the said clerks for the same, one of which receipts shall be forthwith transmitted to the treasurer of this state, the said stamps to be accounted for by the said clerks, in the manner hereinafter directed.

Persons may have paper &c stamped.

SEC. 5. *And be it enacted*, That when any person or persons shall desire to have vellum, parchment, paper or other material, stamped or marked, so that the same may be afterwards used by him or them, as though he or they had obtained the said vellum, parchment, paper or other material, already stamped or marked from the clerk of the county court, the city court of Baltimore, or of Howard district court, as is herein provided, such person or persons shall present the said vellum, parchment, paper or other material to the said commissioner of loans, or officer to be appointed by the governor, who shall upon receiving from such person or persons, the amount of the duties chargeable thereupon, stamp or mark the said paper, parchment, vellum or other material, with such stamps or marks as the said person or persons may require; *provided*, that nothing in this section contained, shall authorise a stamp or mark to be put upon any of the instruments, whether written or printed, enumerated in this act, after the same shall have been perfected and executed, and it shall be the duty of the said commissioner of loans, or officer to be appointed by the governor, on the first days of June, September, December and March, in each and every year after the passage of this act, to account with and pay over to the treasurer of this state, all sum or sums of money received under the provisions of this section, and on failure so to account and pay over within ten days from the days above limited for that purpose, the treasurer shall give notice thereof to the deputy of the attorney general for the city of Baltimore, whose duty it shall be to put the bond of such commissioner of loans, officer appointed by the governor in suit for the use of this state, which shall be liable therefor, as for any other default of the principal obligor or obligors therein, and a recovery shall be had upon the said

Proviso.

bond for the whole amount due thereupon, with interest at the rate of ten per centum per annum, from the time of such default.

Clerk to deliver to persons applying.

SEC. 6. *And be it enacted*, That whenever any person or persons shall apply to any of the said clerks for the purchase at one time of any quantity of vellum, parchment, paper or other material stamped and marked in the manner aforesaid, the whole amount of the duties on which quantity shall be ten dollars or upwards, such clerk shall be and he is hereby authorised and required to deliver to such person or persons, such quantity of vellum, parchment, paper or other material stamped as aforesaid, the said person or persons paying down the amount of the said duties, after deducting therefrom seven and one-half per centum on such amount, which deduction the said clerk is hereby authorised and required to allow.

Penalty—fine and indictment.

SEC. 7. *And be it enacted*, That if any person or persons shall write or print or cause to be written or printed upon any unstamped vellum, parchment, paper or other material, (with intent fraudulently to evade the duties imposed by this act,) any of the matters and things, for which the said vellum, parchment, paper or other material, is hereby charged to pay any duty, or shall write or print or cause to be written or printed, any matter or thing upon any vellum, parchment, paper or other material, that shall be marked or stamped for any lower duty, than the duty by this act payable, or shall write or print or cause to be written or printed on vellum, parchment, paper or other material duly stamped, any matters or things, in respect thereof a duty is payable as aforesaid, at a distance from the stamps or marks, impressed upon the said vellum, parchment, paper or other material, with intent again to use the said stamps, vellum, parchment, paper or other material, or with intent fraudulently to evade the duties imposed by this act, or shall write or print or cause to be written or printed any matters or things in respect whereof a duty is payable on any piece of stamped vellum, parchment, paper or other material, whereon shall have been before written or printed any other matter or thing, in respect whereof a duty is payable by this act, before such vellum, parchment, paper or other material, shall have been again duly stamped or marked according to this act, every such person so offending shall for every such offence, forfeit the sum of one hundred dollars, to be recovered by indictment or information in the county court of the county or of Howard district, or in the city court of Baltimore, one moity thereof to the use of this state, and the other moity thereof to the use of the informer, who shall be a competent witness upon the trial of such indictment or information.

Not available without stamp

SEC. 8. *And be it enacted*, That no instrument of writing whatsoever, charged by this act with the payment of a duty

as aforesaid, shall be pleaded or given in evidence in any court of this state, or admitted in any such court, to be available in law or in equity, or shall be valid or available for any purpose whatsoever, unless the same shall be stamped or marked as aforesaid; *provided*, that if any such instrument of writing shall have been written or printed upon vellum, parchment, paper or other material, not marked or stamped according to this act, or upon vellum, parchment, paper or other material, marked or stamped for a lower duty than ought to be paid upon the same, then and in such case it shall be lawful for the person or persons holding such instrument, to make oath or affirmation as the case may be, that at the time of making or receiving such instrument of writing, the said holder or holders thereof, did not know the requisitions of this act, requiring the said instrument to be stamped or marked as herein provided; or that if he, she or they did know of such requisitions, that the said instrument of writing was made or received through inadvertence or forgetfulness thereof, and with no intention to evade the provisions of this act, and to pay to the clerk of the county, or of Howard district, or of the city court of Baltimore, as the case may be, the duty chargeable by law on such instrument of writing, together with ten dollars in addition thereto, which duty and additional sum, such clerk is hereby authorised and required to receive and to endorse a receipt therefor under his hand, upon some part of such instrument of writing, and he shall also endorse thereon, the oath or affirmation to be taken as aforesaid, after which endorsement and not otherwise, such instrument or writing shall be to all intents and purposes as valid and available, as if tbe same had been or were stamped or marked, as by this act required, and if any person with intent to defraud this state of any sum or sums of money, directed to be paid by this act, shall counterfeit or forge, or cause or procure to be counterfeited or forged, any receipt or endorsement provided for, and directed by this act, or shall with the intent aforesaid, counterfeit or forge, or cause or procure to be counterfeited or forged, any stamp or mark provided for, and directed by this act, or shall utter, pass away, vend or offer in evidence in any court of justice, any such forged or counterfeited receipt or endorsement, or mark or stamp, knowing the same to be forged or counterfeited, then every person so offending, and being thereof convicted in due form of law, shall be adjudged to be guilty of a misdemeanor, and shall be subject to be fined in any sum not exceeding one thousand dollars, and to be imprisoned for any term not exceeding seven years at the discretion of the court.

Proviso.

Clerks to settle with Treasurer, &c.

SEC. 9. *And be it enacted*, That it shall be the duty of the said clerks on the first days of June, September, December and March, in each and every year after the passage of this

act, to account with, and pay over to the treasurer of this state, all sums of money received by them under the provisions of this act, including the additional sums which they may receive under the last preceding section, after deducting therefrom, a commission of one per centum, upon the amount so paid over as a compensstion for their services, and the said account which shall be verified by the oath or affirmation of the said clerk, shall show the amount and number of stamps or marks remaining in their hands, and in case the said clerks shall fail to account and pay as aforesaid, within thirty days above limited for that purpose, the treasurer shall give notice thereof to the deputy of the Attorney General, for the proper county, district or city, whose duty it shall be to put the bond of such clerk in suit for the use of this state, which shall be liable therefor, as for any other default of the principal obligor or obligors therein, and a recovery shall be had upon the said bond for the whole amount of stamps sent or delivered by the commissioner or other officer, to the said clerk, with interest at the rate of ten per centum per annum, from the time of such default, and a recovery upon the bond of any of the said clerks, for any default under the provisions of this act, shall be evidence of misbehaviour in office, and ipso facto, remove such clerk from office, which, thereupon shall be filled by the governor, as prescribed by the constitution, and laws of this state.

Persons may return stamp paper to Treasurer.

Sec. 10. *And be be enacted*, That if any person or persons at the time of the repeal or expiration of this act, shall have on hand any quantity of vellum, pachment, paper or other material, stamped or marked in the manner aforesaid, of which no use shall have been made, such person or persons upon returning the same to the treasurer of this state, shall be entitled to receive from him out of the treasury, the amount of the duties upon such vellum, parchment, paper or other material, so returned as aforesaid.

Salary of commissioner.

Sec. 11. *And be it enacted*, That there shall be paid to the commissioner of loans, or other officer to be appointed by the governor, as a compensation for the services imposed upon him by this act, the sum of seven hundred and fifty dollars, and he is hereby authorised to employ one clerk at a salary not exceeding five hundred dollars, and an assistant, either from year to year, or from time to time, as may be necessary, at an annual expense of not exceeding five hundred dollars, and the said commissioner of loans, or other officer to be appointed by the governor, shall give bond in a penalty, and with condition and surity, to be prescribed by and approved by the governor, for the faithful performance of all the duties imposed upon such commissioner of loans, or other officer, by the provisions of this act.

Persons employed to make oath.

Sec. 12. *And be it enacted*, That every person who shall be employed for the marking or stamping of vellum, parch-

ment, paper or other material as aforesaid, shall before his acting in the marking or stamping thereof, take an oath or affirmation, that he will, according to the best of his knowledge and skill, faithfully, honestly, and carefully execute the trust reposed in him, and will truly mark or stamp, all vellum, parchment, paper or other material, which he shall be required or directed to mark or stamp, and will render a true and exact account thereof to the proper officer or officers.

Blank forms may be purchased.

Proviso.

SEC. 13. *And be it enacted*, That nothing herein contained shall be taken or held to prohibit the printing or purchase of the blank forms of any of the instruments of writing herein enumerated; *provided*, the same before being used, are marked or stamped as by this act required.

In force until 1848.

SEC. 14. *And be it enacted*, That this act shall continue and be in force until the first day of May, in the year one thousand eight hundred and forty eight.

Clerks to give bond.

SEC. 15. *And be it enacted*, That the several clerks of the county courts, the clerk of Howard district court, and the clerk of Baltimore city court, shall, on or before the tenth day of May next, give bond, with sureties to be approved by the said courts respectively, or one of the judges thereof, and in the penalties hereinafter mentioned, conditioned for the faithful performance of the duties imposed upon the said clerks by the provisions of this act, and for payment by them into the treasury of this state, of all sums of money which they may receive by virtue thereof, at the period hereinbefore limited for that purpose, that is to say, the penalty of the bond of the clerk of Baltimore county court shall be twenty thousand dollars, that of the clerk of Baltimore city court shall be twenty thousaid dollars, and the penalties of the bonds of each of the other clerks mentioned in this act, shall be five thousand dollars, which said bonds shall be executed, filed and recorded in the same manner as the bonds of such clerks are now required to be executed, filed and recorded.

CHAPTER 282.

Passed March 10, 1845.

An Act to provide for the Division of the City of Baltimore into Twenty Wards, and for other purposes.

Five commissioners to be appointed by Governor.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That there shall be appointed by the governor, five commissioners, citizens of Baltimore, three of whom shall reside west, and two east of Jones's Falls, whose duty it shall be to divide the city of Baltimore into twenty wards, as nearly equal in population as may be, and the boundaries of which shall be as nearly as practicable in right lines.

Commissioners to locate.

SEC. 2. *And be it enacted*, That said commissioners shall locate twelve of said wards west, and eight east of Jones's Falls, and shall make out two returns under their hands and

seals, which will describe particularly, the metes and bounds, by streets, lanes, and alleys of each of said wards, and designate the same by numbers, from number one to number twenty, inclusive, commencing with the numbers east of Jones' Falls, one of said returns to be deposited in the office of the Register of the city, and the other in the office of the clerk of Baltimore county, to be by them recorded, and the Register of the city shall cause said return to be published in two of the daily newspapers of the city, for the space of one month within two months after the same shall have been deposited in his office; and the said commissioners, before they make the returns aforesaid, to the office of the Register of the city and clerk of the county court, shall make oath or affirmation according to law, before a justice of the peace, who shall certify the same on said returns, that they have faithfully, and to the best of their knowledge and ability, performed the duties imposed upon them by the provisions of this act.

Mode of election.

Sec. 3. *And be it enacted*, That at the election to be held for members of the first and second branches of the City Council of Baltimore, in October, one thousand eight hundred and forty-five, and at every subsequent election, there shall be elected, one member to the first branch of the City Council from each of said wards, and one member from every two wards, contigious to each other, to the second branch of the City Council, whose qualifications shall be the same as are now prescribed by acts of the General Assembly of Maryland, and ordinances of the Mayor and City Council of Baltimore; and the said elections shall be held under, and be subject to to the laws of the state, and ordinances of the city relating to elections; and the commissioners appointed under this act, shall be, and they are hereby authorised, empowerd and directed, to make a classification of the wards, which shall be jointly entitled to elect a member of the Second Branch of the City Council.

First fifteen wards to constitute congressional district.

Sec. 4. *And be it enacted*, That the first fifteen of said wards, beginning with number one to number fifteen inclusive, shall constitute the fourth Congressional district, and the remaining five wards, Baltimore county, Howard District in Anne Arundel county, and Carroll county, shall constitute the third Congressional district of the state of Maryland.

Commissioners to receive $2 per day.

Sec. 5. *And be it enacted*, That the said commissioners shall each receive a compensation of two dollars per day for each and every day they may be engaged in the discharge of the duties required to be performed under this act; and it shall be the duty of the Mayor and City Council of Baltimore, to make provision for the payment of the same, and for all other necessary expenses that may be incurred in the execution of this act.

Mayor ex-officio to give 15 days notice.

Sec. 6. *And be it enacted*, That where the president of the first or second branch of the City Council, shall ex-officio become Mayor, by virtue of the second section of the act of As-

ssembly of eighteen hundred and thirty-two, chapter two hundred and six, it shall be the duty of said president, within five days after he shall so suceed to the Mayoralty, to give the notice for the election of Mayor, required by said section, which notice shall be for fifteen days, instead of twenty days, as required by said section.

Term of office of Mayor 2d Monday of November.

SEC. 7. *And be it enacted*, That the term of office of the Mayor of the city of Baltimore shall be understood to commence on the second Monday of November, succeeding his election.

Laws and ordinances to apply to this act.

SEC. 8. *And be it enacted*, That all laws and ordinances relating to elections in the city of Baltimore whether as to appointment of judges, or otherwise applicable to the present division of wards in said city, shall be deemed to apply to the division into twenty wards by this act directed

Election on 2d Wednesday.

SEC. 9. *And be it enacted*, That hereafter, elections for Mayor and City Council, shall be held on the second Wednesday instead of the third Monday of October, as heretofore.

Repealed.

SEC. 10. *And be it enacted*, That all acts or parts of acts of the General Assembly, and ordinances of the Mayor and City Council of Baltimore, inconsistent with the provisions of this act, shall be and the same are hereby repealed.

CHAPTER 283.

Passed March 10, 1845.

An Act to exempt Free Negroes of this State, from the operation of an act therein mentioned, in certain cases.

Permit from Orphans court

Be it enacted by the General Assembly of Maryland, That the provisions of an act, passed at the present session of the general assembly, entitled an act to repeal a part of the second section of an act, passed at December session, eighteen hundred and thirty-one, chapter three hundred and twenty-three, shall not be construed to restrain the free people of color, residents of the state of Maryland, from going and remaining out of this state more than thirty days between the first day of May and the first day of November in every year: *Provided*, when such free people of color are desirous to be temporarily absent, they shall respectively obtain a permit in writing, from the Orphans court of the county where the party resides, to be granted at their discretion, only on the written recommendation of at least three respectable white persons known to be such by the justices of the said court, and whose names shall be noted at the foot of such permit; stating the purpose for which such persons are about to leave the state, and the register of wills of said county, shall be entitled to demand from the party applying therefor, ten cents for issuing such permit; and it shall be the duty of said register to file the recommendations among

the papers of his office, endorsing thereon, the date of granting the several permits.

CHAPTER 284.

An Act to regulate the method of taking Evidence to be adduced in the trial of Contested Elections.

Passed March 10, 1845.

Give notice of intention within 30 days

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the party intending to contest an election for the Senate, or House of Delegates of the state of Maryland, shall give notice of such intention to the person returned, within thirty days after the persons appointed to hold the election shall have made known publicly, the state of the polls, unless at an election not in the usual course, but to fill a vacancy, when such notice shall be given within ten days after the state of the polls is announced by the judges of election, and such notice shall be delivered in writing, at the usual residence of the person returned, and if he be absent, shall be left there.

Party intending to make examination to apply to a justice of the peace.

SEC. 2. *And be it enacted*, That the party intending to make examinations, shall then apply to some justice of the peace of the state, in the county or district, wherein the election is contested, and shall obtain a notification under his hand and seal, directed to the opposite party, and requiring him to attend by himself, or his attorney duly authorised, and cross-examine the witnesses, and to this intent, the said justice shall have the usual powers to coerce the attendance of such witnesses; and the said notification shall contain the names of the witnesses, with the cause of obligation, and state the time and place of examination; and shall be served on the opposite party or his attorney, duly authorised, at least ten days previous to the said proposed examination.

To testify to the truth.

SEC. 3. *And be it enacted*, That every person deposing, shall make oath or affirmation to testify the whole truth, and shall subscribe the testimony by him or her given, which shall be reduced to writing only by the magistrate taking the deposition, or by the deponent in his presence, or by a clerk appointed by the magistrate, and duly sworn, fairly to write down and transcribe the deposition or depositions, and the deposition so taken, together with a certificate of the notices and proof of service of them, shall be sealed up by the magistrate who took it, and transmitted to the presiding officer of the body in which the seat is contested.

Witnesses in contested elections.

SEC. 4. *And be it enacted*, That the examination of witnesses taken in this manner, and no other shall hereafter be admitted on trial of contested elections.

Copies of recorded papers admitted on trial.

SEC. 5. *And be it enacted*, That copies of any papers recorded in any office of record, *provided*, these copies be attested under the hand and seal of the recording officer, shall be admitted at all such trials, in the same manner as the originals would be, if produced; and in like manner, copies of any other papers of a public nature, and remaining in the possession of a public officer, and extracts from the poll books under the hand and seal of the clerk of the county court, shall be admitted, when attested under the hand and seal of that officer.

Ballots to be returned by return judge to clerk of county.

SEC. 6. *And be it enacted*, That all ballots cast at any election, shall be returned by the return judges of election, on the day of their meeting, (as now prescribed by law,) to the clerk of the county, to be by him safely kept, for the space of twelve months, from the day of such return, at which time the clerk in the presence of one or more justices of the Orphans' court shall destroy the same, and shall record among the land records of the county, a certificate of the fact, signed by said justice or justices, and that no ballot thus returned, shall be given by the clerk to any person or persons, except to the justice of the peace before whom the examination aforesaid is held, to be by him transmitted, if necessary, to the presiding officer of the body in which the seat is contested; but any person or persons interested therein, shall have the privilege of inspecting said ballots in the presence of said clerk.

Magistrate entitled to $2 for every day engaged.

SEC. 7. *And be it enacted*, That any magistrate before whom such deposition or depositions as aforesaid may be taken, shall be entitled to the sum of two dollars for every day he may be engaged in the examination of witnesses, who shall also be entitled to the usual allowance granted to witnesses for their attendance before justices of the peace, to be paid by the party on whose behalf such examination is held and said witnesses are summoned.

Not to effect elections now pending.

SEC. 8.. *And be it enacted*, That the provisions of this bill shall not be construed to extend to any case of contested election now pending.

CHAPTER 301.

Passed March 10, 1845.

A Supplement to the act entitled, "An act for the protection of Firemen, and of the Property of the Fire Companies in the city of Baltimore."

Not lawful.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, it shall not be lawful for any minor who is not now a member of a fire company, to attach himself to the ropes of any engine or other apparatus for the extinguishment of fires, or to run with the same, or in any manner or may connect himself about the same, and

any minor offending against the provisions of of this section, upon conviction thereof before Baltimore city court, or any other court of competent jurisdiction, shall forfeit and pay a sum not less than ten, and not exceeding fifty dollars, one half for the use of the beneficial fund of the Baltimore United Fire Department, and the other half for the use of the informer, except the informer be a member of the said fire department, when the entire amount of forfeit shall be for the use of the beneficial fund of that department

Alarms of fire.

SEC. 2. AND WHEREAS, at the time of fire, or alarms of fire, it is necessary for the preservation of harmony, and good order among the members of the several fire companies, that idle and disorderly persons, especially minors, should be kept or removed to a convenient distance from the engine or other apparatus of any or all the companies, *be it enacted*, that any minor who is not now a member of a fire company, and all and every disorderly person or persons found running to a fire, or after, before or about an engine or other fire apparatus, within one square of any fire, engine or other apparatus, who, after being warned away by any officer of a fire company, shall refuse or neglect to obey such warning, shall be deemed guilty of inciting a riot, and upon conviction thereof, before Baltimore city court, or any other court of competent jurisdiction, forfeit and pay a sum not less than ten and not more than fifty dollars, one half for the use of the beneficial fund of the Baltimore United Fire Department, and the other half for the use of the informer, except the informer be a member of said department, when the entire amount of forfeit shall be for the use of the beneficial fund of that department.

Deemed guilty of inciting riot.

Collection of minors in the streets, deemed guilty of inciting riot.

SEC. 3. *And be it enacted*, That any group or collection of minors or other persons, found collected in any of the streets, lanes or alleys of the city of Baltimore, or any other place, for the purpose of intercepting the passage of any engine or other apparatus for the extinguishment of fires, belonging to any one or more of the companies, shall be deemed guilty of inciting a riot, and for offending against the provisions of this section, on conviction thereof before Baltimore city court, or any other court of competent jurisdiction, shall each forfeit and pay a sum not less than twenty, and not exceeding fifty dollars, one half for the use of the beneficial fund of the Baltimore United Fire Department, and the other half for the use of the informer, except the informer be a member of said fire department, when the entire amount of forfeit shall be for the use of the beneficial fund of that department.

CHAPTER 303.

Passed March 10, 1845.

An additional Supplement to the act passed December session, eighteen hundred and forty-four, entitled, "An act Supplementary to an act for the weighing of Anthracite and measuring of Bituminous Coal," passed at December session, eighteen hundred and thirty-seven, chapter three hundred and sixteen.

Make oath or affirmation.

Be it enacted by the General Assembly of Maryland, That the weighers and measurers of coal appointed as provided for in the first section of the supplemental act above referred to, and after being approved of by the Mayor of the city of Baltimore, shall before they enter upon their duties as such, take the following oath or affirmation, viz: I do solemnly swear or affirm (as the case may be,) that I will honestly, faithfully and impartially discharge my duties as weigher and measurer of anthracite and bituminous coal, in the yard or depot of while in the employ of and that I will give the weight of a ton as established by law, of two thousand two hundred and forty pounds for anthracite, and will measure bituminous coal by the standard bushel, and that I will hold myself amenable for a violation of my duties under the penalty for every offence, of ten dollars, to be recovered and disposed of as the penalties provided for in the second section of the supplemental act above referred to.

CHAPTER 308.

Passed March 10, 1845.

An Act relating to Sales of Property by Constables.

Duty of Constables.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of May next, it shall be the duty of constables within twenty days after making sales of property, under any writ of fieri facias, or venditioni exponas, or under any warrant to destrain, to them directed, to return a list or lists of the property sold by them, with the sum or sums of money for which the same was sold, with the name or names of the purchaser or purchasers thereof, to the levy court or commissioners of the county or counties, in which the said sale or sales shall take place; and upon the receipt of such list or lists, made out and returned as aforesaid, it shall be the duty of the said levy court or commissioners, as the case may be, to assess to the purchaser or purchasers aforesaid, the amount of the property so purchased by him or them as aforesaid, upon which the direct and county taxes now imposed by law, shall be levied and collected as the said direct and county taxes are now required to be levied and collected.

SEC. 2. *And be it enacted*, That in the event of a failure by any constable or constables to return to the said levy court or commissioners, the list or lists aforesaid, as herein provided, the said levy court or commissioners, as the case may be, shall assess to the said constable or constables so failing to make return of the list or lists as aforesaid, giving the name or names of the purchaser or purchasers, and the value of the property so sold, on which shall be levied and collected, the direct and county taxes now provided by law in other cases; and in the event of a refusal of the said constable or constables to pay the direct and county taxes so as aforesaid, levied on the property so as aforesaid assessed to them, the said levy courts or commissioners, as the case may be, shall direct the bonds of the said constable or constables, to be put in suit, when the said bond or bonds shall be liable for the amount of the said taxes, as they are now liable for collections made by the said constable or constables.

In the event of failure.

Bonds put in suit.

SEC. 3. *And be it enacted*, That in the event of the said levy courts or commissioners, as the case may be, being informed by any person, of a sale or sales, by any constable or constables, of any property included within the provisions of this act, of which no list or lists shall have been returned, as hereinbefore provided, such person so informing, shall be entitled to receive twenty per centum of the amount of the tax, when the same shall be collected as herein provided, from the said constable or constables, or his or their securities.

Informer to receive 20 per cent.

CHAPTER 309.

An Act entitled, "An act to prevent Illegal Voting."

Passed March 10, 1845.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the passage of this act, any person offering to vote in any of the counties of this state, or in the city of Baltimore, not being at the time of so offering to vote, a citizen of the United States, twelve months a resident of this state, and six months preceding the election, a resident in the county or city in which he shall so offer to vote, shall be guilty of a misdemeanor, and on conviction thereof in the county court of the county in which said attempts shall be made, or in the city of Baltimore, shall be subject to a fine of not less than fifty dollars, nor more than five hundred dollars, and to imprisonment in the county jail for not less than one month, nor more than two years.

Guilty of a misdemeanor.

Fine and imprisonment.

SEC. 2. *And be it enacted*, That if any person shall bribe, or offer to bribe a legal voter, he shall be subject to the same

Offer a bribe.

fine and imprisonment as any illegal voter convicted as aforesaid.

Subject to same punishment.

SEC. 3. *And be it further enacted*, That any person who may hereafter vote at any election in this state, without possessing the qualifications of age and of residence, as now required by the laws of this state, shall upon conviction thereof in the county court of the county where he may so vote, or in the city court of Baltimore, be subject to the same punishment prescribed in the first section of this act.

Guilty of felony.

SEC. 4. *Be it enacted by the General Assembly of Maryland*, That any person voting or offering to vote in any of the counties of this state, or in the city of Baltimore, on the certificates of naturalization of any other person, shall be guilty of felony, and on conviction thereof, shall be punished by confinement in the penitentiary for not less than two nor more than six years.

Stamp certificates of naturalization.

SEC. 5. *Be it enacted by the General Assembly of Maryland*, That at all future elections to be held in this state, it shall be the duty of the judges of election, to stamp on the certificate of naturalization of all persons producing such certificates, the words voted, and the number of the ward or district in which said person voted, and the day and year of voting.

SEC. 6. *Be it enacted*, That all acts inconsisent with this act, be and the same are hereby repealed.

APPENDIX.

MAYOR'S COMMUNICATION.

MAYOR'S OFFICE,
BALTIMORE, January 20, 1845.

To the members of the
First and Second Branches of the City Council:

GENTLEMEN:

Having been so recently placed in the office of Chief Magistrate of my native city, by the confiding generosity of our common constituents, I beg leave to avail myself of this my first communication in relation to such of their affairs as may have been intrusted to us, to express to them my very grateful sense of the high honor they have thus conferred on me, with a hope that with my humble abilities, my best efforts may not disappoint their expectations, or be deemed altogether unworthy of the station to which I have been thus called.

Among the various concerns which come within the range of the powers with which you have been entrusted, there are none which have at all times, and every where been considered more important than the education of youth; the early and proper intellectual training of those who are to become the future men of our country. And since it is evident, that youthful minds have not been found competent to appreciate the value of mental discipline and instruction, it becomes as indispensably necessary in all cases, to supply the means of gathering them together into public schools, as it is to provide places in which imbecility, infirmity, or old age, may obtain mere animal subsistence. Upon this ground, and with an entire confidence that there is no kind of expense which the people of our city would contribute to defray with more alacrity than that of public schools for the instruction of youth, I would take the liberty of asking your early attention to our city laws in relation to this subject; and if necessary, so to increase the public assessment, as that it may become entirely commensurate to this great and most important subject.

The able and interesting report of the School Commissioners of the city, herewith transmitted, and to which I beg to refer you, shows the prosperous condition and increasing usefulness of those nurseries of learning—the public schools.

That maxim of common prudence, which suggests that prevention is better than the cure of all maladies, prompts me to ask for an *in-*

crease of the Police, and especially of its *night watch*, in consequence of the spread and growth of the city. The present police is entirely inadequate to the protection of the property and quiet of our city; while the city has been every year most rapidly increasing, the number of the watch is little more than when the city contained one half of its present number of inhabitants. Most of the watch wards are so large, that it is impossible for one man to do what it would require two, and, in some instances three, to perform. It is not merely necessary that arrest should follow close on the footsteps of crime; much better is it, that malefactors should be altogether deterred by the certainty of punishment. I cannot too strongly urge this subject upon your consideration.

The City Commissioners and Port Wardens' report, herewith transmitted, will exhibit the manner in which their duties have been performed. I regret, that from causes assigned by them, they were not able to carry out the resolution No. 130, directing them to prepare a plan or plans for a City Hall, to be erected on the lot on Gay street. I hope you will give the matter your earliest consideration, as the present building is totally inadequate to the purposes of the city. The room for the accommodation of the city officers is insufficient; the building is, besides, exceedingly dangerous, because of its liability to fire, in which event the loss of papers and records to the city would be incalculable.

I transmit the report of the Baltimore and Susquehanna Rail Road Company, by which it will be seen, that during the last year there has been an increase in the number of passengers transported on the road, of 14,162; and in the quantity of produce and merchandise of 29,052 tons;—notwithstanding which, it does not appear that the company have made money, as their expenditures appear to have increased with the increase of their revenue.

The report of the Counsellor of the city is herewith submitted.

Allow me to call the attention of the Councils to the contract made with the Messrs. Canby, as provided in the sixth section of ordinance No. 47, passed in 1839, for the improvement of Franklin square. The city is called on to perform her part of the contract.

Soon after I came into office I received a communication from the City Commissioners, dated November 13, informing me that the appropriation for the harbor was exhausted, and in consequence they were compelled to suspend the usual operations for want of means to pay the hands. They say: "We are of the opinion that an appropriation of $2,000 is required to be made in advance of the annual meeting of the honorable the City Council, to enable us to meet the necessary expenses in feeding the horses, and removing the sediment, now raised and deposited on the several wharves, so as to be ready to commence operation in the spring advantageously to the navigation of the harbor." Believing it, therefore, more economical to borrow the money than call the Council so much sooner than the time fixed for the annual session, at my request the Register obtained, in his individual

capacity, a loan of two thousand dollars. Under this arrangement orders were drawn on him by the City Commissioners for the sum of thirteen hundred and one dollars and eighty-seven cents, being all that was absolutely required. I respectfully recommend an appropriation for the sum thus advanced.

I would earnestly call the attention of the Councils to the present mode of paving and repairing the city. There is a defect somewhere, or such large sums every year would not be expended in repairs. By reference to the City Collector's report, it will be seen, that the sum of $74,403 04 was incurred last year for paving and repairing. I would, therefore, respectfully recommend that the office of inspector of paving and repairing should be created, whose duty it should be, to attend exclusively to the supervision of all new paving and repairs. I think, through such an officer, much money might be saved to the public.

From the report of the Visitors of Baltimore City and County Jail, you will perceive that the average number of daily prisoners much exceeds that of the previous year; a fact greatly to be deplored; one of great public interest, and well calculated to excite a general inquiry as to the causes, with a view of providing a suitable remedy. The very defective construction of that building renders it impracticable by any system of government and police, however judiciously devised and faithfully executed, to prevent free association and intercourse among those confined; who, for the most part, are thrown into rooms in common with each other. Such an arrangement is at variance with the present improved system of imprisonment, which is based on universal philanthropy; looking alike to the good of society, the amendment of the guilty, and the protection of those who may have been unjustly accused; but who are required to pass through the forms of law to establish their innocence. *Separation* is now deemed an essential element of imprisonment, if it be contemplated to avoid aggravated evil. The indiscriminate association of prisoners is but too apt to increase depravity, and especially among the juvenile, and subjects the innocent to a companionship which they must feel to be a degrading punishment.

Awakened to the evil of defiling the young by confining them to vicious associations, some of our citizens many years since, proposed the establishment of a separate institution for their confinement, to be called by the less odious name of "a House of Refuge." Unfortunately the enterprise failed, and this most interesting part of our community, upon whom it would be so easy to impress a desirable reformation, is still left to the lamentable consequences of contaminating intercourse. The Visitors of the Jail urgently represent the necessity of a House of Refuge, and from the highest sense of duty, I respectfully press this measure upon your serious consideration.

Whether this important proposal be executed or not, certainly the interior of the present Jail should be so re-arranged, or such an additional wing constructed, as to admit of the separate confinement of those who may be sent there either as a punishment for crime, or to

await trial. If influenced by no other consideration, the self preservation of society alone demands it.

The report of the Baltimore and Ohio Rail Road Company is herewith submitted, by which it will be seen, that the affairs of this company are in the most prosperous condition. The revenue received from passengers is stated to be greater by $59,712 20, and that from tonnage $22,061 32, than the receipts from the same sources during the preceding year; making together $81,773 53. The net receipts from the business of the main stem over and above the expenses independent of its connection with the Washington branch, is stated to amount to $346,946 03, being nearly five per cent upon the capital, and an increase of one per cent on the earnings of 1843. For further details, I refer you to the report itself.

The Susquehanna and Tide Water Canal report is herewith transmitted.

By the kindness of Gen'l. Marriott, Collector of the port, I am enabled to furnish the following statement of the imports and exports of Baltimore; also, the number of American and Foreign vessels entered from and cleared for foreign ports.

Value of Merchandise imported into and exported from the district of Baltimore, and amount of tonnage, arriving from and departing to foreign ports, during the fiscal year, ending on the 30th September, 1844.

Foreign Merchandise imported in American vessels,		$3,999,093
do do do Foreign do		309,046
Total value of Imports, - - -		$4,308,139
Domestic Produce exported in American vessels, - - - - - - -	$3,641,879	
do do in Foreign do	1,092,332	
		$4,734,211
Foreign Merchandise exported in American vessels, - - - - - - -	$298,771	
do do Foreign do	30,082	
		328,853
Total value of Exports, - -		$5,063,064

	Vessels.	Tons.
American vessels entered from Foreign Ports,	307	62,797
Foreign do do do	106	21,181
	413	83,978

American vessels cleared for Foreign Ports,	345	68,312
Foreign do do	111	22,722
	456	91,034

The number of new houses erected during the year 1844 is 609, showing an increase of 94 over the year 1843.

The City Collector's report is herewith transmitted. It will be seen that the levy for 1844 was $417,152 49, of which $264,808 54 has been collected. It is a source of congratulation that, notwithstanding the dull times, the taxes, although large, are so freely paid by our citizens. I refer you to the Collector's report for details.

The receipts of the Register for the past year, including the balance in the Treasury on the 31st December, 1843, was $685,893 78, and disbursements for the same year amounted to the sum of $633,701 22, leaving a balance of $52,192 56 in the Treasury on the 31st December, 1844. The interest on the entire issue of the *City Stock* debt for the past year was paid. All demands on the city treasury during the past year were paid with promptness. You will see by the Register's report that he recommends the redemption of the city stock still outstanding, redeemable at the pleasure of the Mayor and City Council, after the year 1838 and 1840 respectively, the entire amount of which is only $48,346. I would beg to call the attention of the Council to the able report of the Register, which so fully shows the prosperous condition of the finances of the city.

Permit me here to suggest to you the propriety of passing an ordinance, requiring the banks to pay the city tax on bank stock, held by citizens as well as foreigners, in the same manner that it is paid by the banks to the State. The present manner of collecting is justly complained of as very vexatious, and liable to great errors. By the present mode of collecting, the citizen and foreigner only pay the tax; the stockholder, living beyond the limits of taxation, enjoys the benefit of *his* dividends without deduction, and pays not a cent towards the debt for which his property is liable as *ours*. The stock of a bank is as much city property as a house or vacant lot, or any other taxable, yet surely he would have to pay the tax assessed on his house or lot. I can, therefore, perceive no reason why he should escape because he lives beyond the limits of the city.

The Appeal Tax Court report, herewith shows the assessed value of property in the city liable to taxes for city purposes for the year 1845 to be $59,377,397. After abatements that may be made during the year, the levy might be safely put down at $57,500,000.

By reference to the report of the Committee of Finance it will be seen that $4,000 of the Court House stock has been purchased out of the sinking fund applicable to that purpose. The Commissioners also recommend that provision be made to take up the six per cent. stock, redeemable at pleasure.

By Resolution No. 54, of last session of the Council, the Mayor was authorized to receive a deed from Messrs. Robert Howard, John Boggs, Alex. L. Boggs and Thomas Humes, of a piece of ground, laid off by them for a public square on the centre of Fairmount. The deed has been made and accepted, agreeably to the resolution. Since then the property holders have called on the city to grade and pave her part of said property; and, as I understand from the City Commissioners that the expense would be large, I would particularly invite the attention of the Council to this subject.

I am pleased to find, by the report of the Health Department, that the city has enjoyed her full proportion of health. For a more detailed statement I respectfully refer you to their report. The present mode of cleaning the streets by contract I think objectionable. Much complaint has been made of the dirty condition of the lanes and alleys; whether it arises from the mode of contracting or contractors, I cannot determine, as the contractors contend that they are only bound to remove a particular kind of dirt. If this mode is to be continued, the contractor should be obliged to remove all dirt of any and every description, that of building materials excepted.

From the report of the "Trustees for the Poor," herewith submitted, you will be pleased to perceive the flourishing condition of the institution under their direction. Allow me, however, to call your attention to the too frequent emigration of paupers for the past years from other countries and cities, to take up their winter quarters in our Alms House. I am sure money would be saved to the city were an appropriation made to send them back to their last proper place of settlement. This being known, might prevent their coming.

I am gratified in being able to say, that the efficiency of the Fire Department continues as heretofore, and I here must beg most respectfully to recommend the adoption of my predecessor's suggestion, viz: "That a general central Alarm Bell be erected, to which all the other alarm bells shall be subordinate—this bell to be attended by a watchman day and night."

There is a very important matter to which I would most respectfully and earnestly call your attention. It is, the fortification and defence of our beloved city. While the general government is spending large amounts in the construction of forts for the defence of our neighboring cities, we, from some unaccountable cause, have been neglected. I am inclined to think it has proceeded more from a want of attention on our own part to this matter than any intentional neglect on the part of the general government. Upon reference to the public documents, you will see that the Chief Engineer of the United States Army, in 1843, in his report upon Military Defences, says, in speaking of the works recommended to be erected on Sellers' Point Flats: "With Fort McHenry as the only defensive work between Baltimore and the Chesapeake bay, that city is *wholly without defences* against an attack by land; such, for instance, as was undertaken by the English during

the last war, and is at the same time not adequately protected from an attack by the river. The first step to be taken in the creation of a better system of defence for this harbor, is the erection of a strong casemated battery on the outer extremity of Sollers' Point Flats."

Again, allow me to call your attention to the report of the Secretary of War, Nov. 10, 1844, made to the present Congress, in which he says: "Whilst Fort McHenry, (a work of inferior force) is available to resist a particular kind of hostile attack upon Baltimore, it forms the only defence by fortification to that important city. The true defence and safety of Baltimore will, it is believed, be found in the erection of permanent works on Sollers' Point Flats, about ten miles below the city. Let the proposed fort upon these flats be completed, and the inhabitants of that city will no longer have occasion to apprehend a second battle of North Point." You will also find that Colonel Totten, Chief Engineer of the United States Army, in his recent report, says: "I must again invoke the aid of the War Department in procuring the authority for, and the means of commencing this work, *so indispensible to the security of the city of Baltimore.*" He also urges that no time should be lost in beginning the Fort on Sollers' Point Flats, because it must necessarily be two or three years before any aid can be derived from it. I hope the Council will, at an early day, take such action as to press this matter upon the attention of Congress. The means of protection of the city should be looked to before it is wanted.

All of which is most respectfully submitted.

JACOB G. DAVIES, *Mayor.*

REGISTER'S STATEMENT.

Register's Statement of the condition of the City Treasury, on the 31st day of December, 1844, *and of the estimated receipts and payments for the year* 1845.

City Register's Office,
Baltimore, January 20, 1845.

Gentlemen of the First and Second Branches of the City Council:

Your assemblage in annual session, renders it my duty in compliance with an ordinance, approved March 12th 1840, to present a report showing the condition of the finances of the city at the close of the fiscal year, and the estimates of receipts and payments required for the current year, together with "any other information connected with the finances of the city, calculated to aid the Councils in their deliberations on the subject."

The receipts of the past year, including the balance in the treasury, on the 31st of December 1843, was $685,893 78; and payments for the same period amounted to the sum of $633,701 22, leaving a balance of $52,192 56 in the treasury on the 31st ult.

Interest on the entire issues of the City Stock debt for the past year, was paid as required by ordinance, to the Commissioners of Finance.

The interest payable for the present year, will be as follows, viz: On $4,460,713 12 six per cent., and $905,421 84 five per cent.; and also on $95,095 21 five per cent. Court House stock debt, making an aggregate of $317,668 63.

As regards the Court House stock debt, one half of the interest thereon is paid by Baltimore county; so that the interest actually payable by the city, will amount to the sum of $315,291 25.

All demands on the treasury during the past year, were paid with a degree of promptness seldom equalled.

The unquestionable ability of the city promptly to meet all its obligations, cannot fail to be highly gratifying to our entire community; but when it is recollected that in addition to the sum required for interest on City Stock debt, large annual appropriations are required for various purposes, as detailed in the annexed statement; and also that

more than one half of the State tax and licenses collectively, is paid by the citizens of Baltimore; and furthermore that it is proposed to increase this already unequal burthen, the entire subject merits and will doubtless receive the most careful and enlightened consideration of the Council.

In compliance with resolution No. 145, approved April 16, 1844, I transferred to Paul Beck, Jr., $15,000 out of the certificate for $60,000 of stock held by the city. I would most earnestly recommend that the Register be directed to hand over the remaining $45,000 to the Commissioners of Finance, to be used in their discretion, for the redemption of that portion still outstanding of city stock, redeemable at the pleasure of the Mayor and City Council, after the years 1838 and 1840 respectively; the amount of which is $48,346. The certificates of stock held by the city, together with the rents of the property, which by ordinance is applicable to the redemption of city stock debt, would be fully sufficient to cancel the stock alluded to.

For the purpose of endeavoring to show the propriety of the course recommended, it may not be improper to allude to the manner in which the city become possessed of the stock, now in my hands.

In the year 1842, when the city by resolution, refused to continue to receive Rail Road Orders in payment of taxes and other dues, a large amount of said orders remained in the treasury, $82,945 19 of which was funded in city six per cent. stock, as it was impossible to dispose of them in any other manner except at an immense loss to the city; and for the purpose of meeting the most pressing demands against the treasury, temporary loans, with much difficulty, were obtained in compliance with authority vested in me for that purpose. A portion of this stock was subsequently sold at $108 7-8 as heretofore reported. It could easily be made to appear that if the Rail Road Orders had been sold instead of funded at the period alluded to, the loss to the city in principal and interest, would by the present time, have been fully equal to the certificate of stock now held.

Therefore, if the Council should deem it proper to adopt the course recommended, the effect would only be to apply the sum thus saved, towards liquidating the city stock debt.

The annual appropriation for the harbor was exhausted in November last. In compliance with the request of the Mayor, I procured a loan of $2000 on my individual account, that being the estimated sum wanted by the City Commissioners. On this account I have paid $1,301 87, being all that was absolutely required.

A dividend of $87,500 was received from the Baltimore and Ohio Rail Road Company for the past year, being two and an half per cent. on the amount of stock held by the city in said company. It will be seen that I have also estimated a dividend of two and a half per cent. for the present year.

Circumstances seem to render it proper that I should refer to a subject not immediately connected with the duties enjoined upon me by

the Council. The treasurer of the State, in his recent report to the Legislature, uses the following language :

"There is another kindred subject to which I would invite your attention, I mean the law relating to the tax on stocks of the city of Baltimore; no revenue from that source has reached the treasury for two years past. By chap. 281, of December session 1841, sec. 4, it is made the duty of the Register of the city of Baltimore, semi-annually to withhold and pay over to the Collector of the city, out of the interest on the stock of the city, the respective portions of tax due by the holders of said stock. This duty it appears has not been performed; and by chap. 289, of December session 1843, the Register is directed to set apart and pay over to the treasurer of this State, out of the interest on the stock of the city of Baltimore, the amount of tax levied on said stock, under the act of March session 1841, chap. 23, and its supplement, without reference to the place of residence of the stockholders, which he has thus far failed to do ; under these circumstances, I have felt it incumbent on me to communicate the facts, that such measures as you may deem requisite to remedy the defect may be taken."

As respects the act of Assembly of 1841, I furnished to the City Collector, as required by said act, a detailed statement shewing the names of all the holders of city stock, together with the sums held by them respectively. Acting as I was informed, under the advice of the attorney for the State, the collector subsequently demanded of me the tax stated to be due from said holders. After full conference with the attorney for the city, he advised that the act of Assembly did not make it obligatory on me to comply with the collector's demand, and of this, he was immediately informed. The result was, a petition to Baltimore County Court for a mandamus, requiring me to show cause why I refused compliance with the collector's demand. An answer was prepared with his usual ability by William L. Marshall, Esq'r., late attorney for the city and filed in court, but before the day appointed for the hearing of the case it was abandoned by the attorney for the State. In connexion with this subject, it seems proper to state, that in addition to the full conviction of the impossibility of complying with the act of Assembly, I was unwilling to acknowledge any other authority than that from which I derived my appointment; and as the Council, by a solemn act, had declared that they would not tax the stock for city purposes, evidently regarding it as a breach of contract, I would not consent (unless obligatory by law) to do that for the State, which the Council under a full conviction of its injustice had refused to do for the city. It may also be stated in addition that I am not charged by ordinance with the payment of interest to the holders of city stock, but it is made my duty to pay over the entire interest to the Commissioners of Finance, by whom it is paid to parties respectively to whom it is due. Every certificate of stock issued by the city sets forth the obligation of the city to pay to the holder thereof full five or six per

cent interest as the case may be, and it would be difficult to suppose that an enlightened Legislature ever intended to require me, as the representative of the city (in which position it seems to be contended I was placed) to violate a solemn contract made by the city. It seemed altogether proper that if the State determined to collect tax from the holders of city stock that it should be done through its own proper agent. As respects the act of Assembly of 1843, the same objections applied to it as to that of 1841.

On consultation with Hugh D. Evans, Esq., the present counsellor of the city, he advised me not to withhold the State tax from the interest due by the city to the holders of city stock; and stated moreover, that such a proceeding might in his opinion make me individually liable to the parties for the sums withheld.

The attorney for the State was fully informed without delay of the opinion of the attorney for the city, and invited to institute such proceedings as in his judgment the case might require, but after a full investigation of the entire subject, the attorney for the State deemed it useless to institute any proceedings whatever, as it would only subject the State to unnecessary expense.

In connection with this subject, it also seems proper to state, that the Appeal Tax Court in their official return to the treasurer of the State in the year 1842, reported as part of the assessable property liable to State tax, the stock held by its citizens. The treasurer having in his possession this official document, and also in the actual receipt of a large sum of money returned to him by the collector which was received from the holders of city stock for the State tax thereon, it seems strange that it should have escaped the vigilant attention of the treasurer that a portion of the returns of the collector was on account of tax on city stock. It seems scarcely less irreconcilable with the ability, industry and devotion of the treasurer, that he never should have learned from published accounts, or from the attorney for the State, or that he never should have enquired from any source whatever the reasons why the duty which he deemed acts of Assembly required of the Register were not performed. Without in the slightest degree intending to cast an imputation on the treasurer, I am constrained to say, that if he had been half as desirous to be correctly informed on the subject as he seems to have been willing to cast an implied censure, he would not have remained ignorant of the facts and circumstances herein detailed.

By reference to the accompanying statement, it will be seen, that the entire existing and estimated claims against the treasury to be paid during the present year, including the quarter's interest accruing on the 31st day of December next on city stock debt, amounts to the sum of $711,527 71. Should the special appropriations for the present year equal those for the past, $23,200 will be added to the above sum.

The entire receipts for the current year to be derived from existing ordinances and other sources, are estimated at $410,366 12. It thus appears that from the taxes of this year, it will be necessary that

$301,161 59 shall be paid into the City Treasury before the first day of January next, exclusive of the sums that may be required for special appropriations.

It appears from a communication addressed to me by the Appeal Tax Court in compliance with my request, (marked A) that the amount of assessable property subject to city taxes is $59,377,397—of this sum, $3,575,664 is without the limits of direct tax. It may be safely assumed, that not more than $57,500,000 can be calculated upon as the average basis of the respective levies. On this sum a tax of 70½ cents on the hundred dollars would produce $431,250 00. As before remarked, $301,161 59 will be required to meet existing and estimated demands, exclusive of special appropriations. To secure the payment of this sum within the current year, it appears to me, from careful examination, that a levy as above stated will be required. This view of the subject will be strengthened by an examination of the actual collections for the last three years. It will be seen, that less than 7-10 of the taxes of each year were collected within the year. Assuming that 7-10 of the taxes of 1845 will be received within the year, the result would be the receipt of $301,875 from a levy of $431,250.

The existing and estimated claims on account of Corporation Expenses, and for other purposes, for the payment of which receipts from Direct tax is applicable, together with that derived from other sources, as specified, are as follows, viz :

Due to the trustees of the poor, and to the German and Hibernian Societies, for tax on foreign emigrants, received in 1844, . .	$7,317 64	
Due owners of property sold for city taxes, .	7,030 64	
Due on account of appropriations directed to be expended, under the control of the city commissioners, as per annexed statement marked D, ...	9,163 45	
Due annual appropriation to Friendship Fire Company, (unclaimed)	500 00	
Due quarters interest accruing December 31st, 1844, on city stock debt, other than court house stock; and also that issued for the purposes of internal improvements, . .	5,845 24	
		$29,856 97

ESTIMATED CORPORATION EXPENSES for 1845.

Interest on City Stock Debt, exclusive of the issues for court house and internal improvements, viz:		
On $55,421 84 five per cent., and also $343,497 82 six per cent. . . .	$23,380 95	

For deepening the harbor, as per estimate of city commissioners annexed, marked D. .	$20,000 00
For repairs of paved streets, . . .	8,000 00
For repairs of unpaved streets, . . .	600 00
For repairs of public wharves, . . .	1,000 00
For repairs of bridges, ...	2,000 00
For repairs of sewers, ...	1,000 00
For repairs of pumps, ...	6,000 00
For flag and stepping stones, . . .	600 00
For paving and repaving cross streets, exclu-clusive of balance due, ...	11,440 48
For health department, ...	3,000 00
For cleaning streets, ...	6,000 00
For removal of nuisances, ...	900 00
For new fire plugs, exclusive of balance due,	488 00
For repairs of fire plugs, do do	525 00
For erection and removal of lamps, . .	500 00
For city's proportion of repaving streets, .	12,000 00
For diary of the city council, . . .	5,500 00
For watching and lighting the city, . .	47,000 00
For salaries of city officers, . . .	29,187 00
For printing, incidentals and stationery, .	2,500 00
For editors of newspapers, ...	300 00
For ground rent on city property, . .	607 00
For water rent, Center fountain, . .	450 00
For water rent, Center, Lexington and Hanover markets, and at the city hall, . .	70 00
For fuel, ...	250 00
For interest payable to William McDonald, .	90 00
For widows and orphans of those who died in defence of the city in 1814, . . .	515 00
For annual appropriations to fire companies,	8,500 00
For expenses of elections, per ordinance, including balance due, ...	200 00
For insurance on city property, . . .	150 00
For dispensary, for taking care of lost children,	50 00
For annual appropriation to the General Dispensary, ...	400 00
For annual appropriation to Eastern Dispensary, ...	300 00
For incidental expenses, police office, . .	130 00
For incidental expenses, springs and public walk, ...	40 00
For keeping in repair town clock and bell, .	95 00
For support of lunatic paupers in the Maryland Hospital, ...	800 00
For compensation to police officers out of fines, and magistrate for attendance at police office	250 00
For Baltimore and Chesapeake Steam Towing Co., as required by ord. No. 35, passed 1843,	2,500 00
For incidental expenses, city collector's office,	500 00
For taking up swine, ...	500 00

For repairs of Belvidere Bridge, . . .	666 20	
For lamp, &c. at Battle Monument, . .	85 00	
For repairs of Hughes' street, . . .	50 00	
For city court expenses, being excess of receipts over payments on said account, .	3,350 00	
For county court expenses, being excess of receipts over expenses, ...	223 00	
For public schools, being excess over payments,	4,495 58	
For internal improvements, being excess over payments, ...	62,447 88	
For repairs of highways and bridges, being excess over payments, ...	123 79	
		$299,616 85
Deduct balance in the treasury on 31st ultimo,		52,192 56
		$247,424 29
Estimated receipts from existing ordinances applicable to the foregoing expenses, viz:		
From arrears of direct tax, as per estimates of J. B. Seidenstricker and A. R. Levering, Esqrs., annexed, marked B and C, . .	$54,825 13	
From licenses granted by the city, . .	18,000 00	
From licenses granted by the State to keepers of ordinaries, , ...	8,200 00	
From tonnage and wharfage, exclusive of harbor master's commissions . . .	17,500 00	
From theatrical performances, . . .	900 00	
From market rents.	15,300 00	
From quarantine permits, ...	2,000 00	
From dividends on turnpike road stocks, .	500 00	
From storage on gun powder, . . .	500 00	
From hire of mud machines, . . .	2,800 00	
From establishing boundaries, . . .	40 00	
From city seals, ...	350 00	
From sale of butchers' stalls, . . .	2,000 00	
From board of health for interments, . .	50 00	
From rent of lower end of Bowly's wharf, .	300 00	
From fines and forfeitures from the sheriff, .	1,000 00	
From fines from city officers, . . .	250 00	
From interest on arrears of taxes, . .	5,000 00	
From arrears of specific tax, . . .	500 00	
From city collector, commission on paving and pump tax, ...	3,000 00	
From city poor taxes, being excess of payments over receipts on said account . . .	205 00	
		$133,220 13
Balance to be provided for from direct tax of 1845,		$114,204 16

This amount will be lessened by the sum of $46,350 00, if the councils should direct the certificate of stock of $45,000 00 to be sold and thus applied, instead of adopting the recommendation of the undersigned, relating thereto.

The probable further demands for the present year on account of the respective special levies, are estimated as follows, viz:

PUBLIC SCHOOLS.

Estimated expenditures as per estimate of commissioners of public schools:		
For salaries of teachers as the schools are now organized, ...	$23,050 00	
For ground rent, ...	1,268 94	
For salaries of clerk and treasurer, . .	400 00	
For books and stationery, ...	6,500 00	
For general and school incidentals, . .	6,000 00	
For bills outstanding, estimated at . .	2,000 00	
For Assembly rooms, note and interest .	5,825 00	
		$45,043 94
Deduct estimated receipts for tuition, . .	11,000 00	
Deduct dividends on bank stock, . .	475 20	
Deduct rent of Assembly rooms, . .	800 00	
Deduct balance in the hands of the treasurer,	867 52	
		13,142 72
Required from city treasury, ...		$31,901 22
Estimated receipts from arrears of school tax,	12,565 35	
City's proportion of School fund from the State,	5,512 13	
From city treasury, being excess of receipts over payments on account of school tax, .	4,495 58	
		$22,573 06
Sum required from school tax of 1845, .		$9,328 16

CITY COURT.

Due on account of expenses of said court, .	$5,325 00	
Estimated expenses, including salaries of associate judges, ...	17,000 00	
		$22,325 00
Estimated receipts from arrears of taxes, .	6,188 89	
From city treasury, excess of receipts over payments on account of city court tax, .	3,350 00	
		9,538 89
Required from city court tax of 1845, ...		$12,786 11

COUNTY COURT, ORPHANS' COURT, JAIL, &c.

Due on account of expenses of Baltimore County Court, ...	$5,750 00	
Due judges and clerks of elections, . .	1,198 00	
Estimated sum due on acc't of removed cases,	200 00	
Estimated city's proportion of expenses of Baltimore county court for 1845, . . .	6,000 00	
Estimated city's proportion of expenses of Orphan's court, ...	2,500 00	
Estimated colonization tax, . . .	1,946 80	
Estimated city's proportion of sinking fund, and interest on account of court house debt,	3,281 25	
Estimated joint expenses for repairs of court house, keepers' salaries, fuel, &c. . .	1,000 00	
Estimated expenses of the jail, exclusive of fees, &c., received at the jail; and also of city's proportion of licenses to retailers of spirituous liquors, which, by act of Assembly, is applicable to the expenses of the jail,	5,000 00	
Estimated expenses of inquests, . . .	500 00	
Estimated expenses of elections, as required by act of Assembly, ...	280 00	
Register per ordinance, ...	100 00	
		$27,756 05
Estimated receipts from arrears of tax, applicable to the foregoing expenses, . .	8,997 05	
From the city treasury, receipts over payments on this account, ...	223 00	
		$9,220 05
Sum required from tax for certain expenses, &c. for 1845, ...		$18,536 00

CITY POOR.

Estimated city's proportion of expenses of the Alms House for 1845, as per estimate of the trustees, ...	$18,000 00	
Due city treasury, being excess of payments over receipts on account of city poor, .	205 00	
		$18,205 00
Estimated receipts from arrears of city poor tax,		6,188 89
Payable from city poor tax of 1845, .		$12,016 11

INTERNAL IMPROVEMENTS.

For one quarter's interest accruing December 31st, 1844, on that portion of city stock debt issued for internal improvements, .	$72,383 23	
There will also be required, for one year's interest on $4,117,215 30 six per cent. and $850,000, five per cent. stock, issued for the purpose of internal improvements, the sum of	289,532 92	
		$361,916 15
Estimated receipts from arrears of internal improvement tax	77,844 45	
Estimated dividend from Baltimore and Ohio Rail Road Company, . . .	87,500 00	
Estimated interest on rail road orders not funded, ...	700 00	
Payable from city treasury, being excess of receipts over payments on this account, .	62,447 88	
		$228,492 33
Amount to be paid from internal improvement tax of 1845, ...		$133,423 82

HIGHWAYS AND BRIDGES.

Estimated sum required for repairs of highways and bridges, without the limits of direct tax, ...		$2,000 00
Estimated receipts from arrears of tax, .	$1,008 98	
From city treasury, excess of receipts over payments, ...	123 79	
		$1,132 77
Payable from road and bridge tax of 1845,		$867 23

It will appear by reference to the preceding statement, that the entire amount of existing and estimated claims against the treasury, payable in the current year, are as follows:

On account of corporation expenses, sums due various levies, and interest on part of stock debt, as detailed, exclusive of balance in the treasury on the 31st ult., ...	247,424 29	
Expenses of public schools, payable from city treasury, ...	31,901 22	
Expenses county court, orphans court, &c.,	27,756 05	
Expenses city court, ...	22,325 00	
Expenses city poor, ...	18,205 00	
Internal improvements, ...	361,916 15	
Repairs of highways and bridges, . .	2,000 00	
		$711,527 71

ESTIMATED RECEIPTS.

From licenses, market rents, arrearages of direct tax, &c.	133,220 13	
From internal improvements, . . .	228,492 33	
From arrears of school tax, . . .	22,573 06	
From arrears of county court tax, . .	9,220 05	
From arrears of city court, ...	9,538 89	
From arrears of city poor tax, . . .	6,188 89	
From arrears of highways and bridge tax, .	1,132 77	
		$410,366 12
Total amount required to be paid into the city treasury, during the current year from taxes of 1855, ...		$301,161 59

Very respectfully submitted.

JESSE HUNT, Register.

(A.)

OFFICE OF THE APPEAL TAX COURT,
Baltimore, January 13th, 1845.

To the Honorable City Register.

DEAR SIR:

In accordance with your request, dated December 26th, 1844, we respectfully make the following statement:

The assessed value of property subject to city taxes for the year 1845 is as follows, viz:

Within the limits of direct taxation is . . .	$55,801,733
Real estate without the limits of direct taxation, .	3,003,650
Personal property without the limits of direct taxation,	572,014
Total, ...	$59,377,397

The estimated sum, which we are of opinion may be safely levied on, may be fixed at $57,500,000.

Averages would give the following proportions:

Within the limits of direct taxation, ...	$54,035,604
Real Estate without the limits of direct taxation, .	2,910,584
Personal property without the limits of direct taxation,	552,812
	$57,500,000

Respectfully submitted.

Your obedient servants,

PETER LEARY,
JAMES L. ARMSTRONG,
A. R. LEVERING,
Appeal Tax Court.

(B)

BALTIMORE, January 13, 1845.

To JESSE HUNT, Esq., *Register.*

DEAR SIR,

I am of opinion that you can safely base your estimates of receipts of arrearage taxes in the year 1845, on account of the several charges, as follows:

City Court Tax, ...	$1,615 74
City Poor Tax, ...	1,318 89
County Tax, ...	1,557 03
School Tax, ...	1,885 35
Internal improvement Tax, . .	13,894 45
Direct Tax, ...	7,165 13
R. and Bridge Tax, ...	318 98
Specific Tax, ...	500 00
	$28,255 57
Interest, say	200 00
Total, ...	$30,255 57

Very respectfully,

Your obedient servant,

JNO. B. SEIDENSTRICKER,

Collector of Taxes for 1841, '42 *and* '43.

(C)

City Collector's Office,
Baltimore, January 14th, 1845.

Jesse Hunt, Esq., *City Register.*

Dear Sir:

Agreeably to your note of the 26th ult. I herewith hand you a statement shewing the taxes remaining unpaid on the respective city levies for the year 1844, and also an estimate of the sums that may probably be received on the respective levies during the year 1845.

As to the probable proportions of the levy of 1845, which may be collected for the current year, I have no reason to suppose it ought or will materially vary in ratio from the last year, which was between six and seven-tenths of the amount levied.

City taxes remaining unpaid of the levy for the year 1844, $152,343 96, viz:

Of the City Court tax, . . .	$4,094 03	
Of the City Poor tax, . .	5,263 74	
Of the County tax, . . .	8,188 09	
Of the School tax, . . .	11,697 23	
Of the Internal Improvement tax, .	70,024 01	
Of the Direct tax, . . .	52,315 47	
Of the Road and Bridge tax, . .	761 39	
		$152,343 96

Of which it may be safely estimated that $139,000 will be paid in the year 1845, viz:

Of the City Court tax, . .	$3,710	
Of the City Poor tax, . .	4,870	
Of the County tax. . . .	7,440	
Of the School tax, . . .	10,680	
Of the Internal Improvement tax, .	63,950	
Of the Direct tax, . . .	47,660	
Of the Road and Bridge, . .	690	
		$139,000 00

Very respectfully,

A. R. LEVERING, *Collector.*

(D)

CITY COMMISSSIONER'S OFFICE,
Baltmore 4th January, 1845.

To Jesse Hunt, Esq., Register of the City of Baltimore:

SIR,

We have the honor of acknowledging your communication of the date of the 26th ult., containing the following queries:

First.—"The balance due on the respective appropriations directed to be disbursed by your board."

Second.—"Will any payment be required during the ensuing year on account of any existing special appropriation connected with your board."

Third.—"The estimated sum that will be required during the ensuing year on account of appropriations usually expended under your direction."

Fourth.—"Estimated receipts during the ensuing year from establishments and hire of Mud Machines."

For the answers to the three first queries, we respectfully refer you to the accompanying estimate,—and in reply to the fourth, we have to state that the receipts from estsblishments may be estimated at $40; those from the Potter's Fields at $50, and as regards those from Mud Machines, we have to observe, that there is now due and collectable, the sum of $1,259 78, which when added to the probable receipts for work the current year, we believe it safe to assume that there will be received from that source, $2,759 78 cents.

All which is respectfully submitted,

JOHN N. MURPHY,
GEORGE A. DAVIS,
JOHN IJAMS,
City Commissioners.

(A)

ESTIMATE OF THE APPROPRIATIONS

Which will be required for the year 1845.

ESTIMATE OF WORK FOR THE PRESENT YEAR.	Balance of appropriation due and unpaid.	Amount required on account of special appropriations.	Estimated annual appropriations required for 1845.
Repairs of Paved streets, - -	$47 20		$8,000 00
do Unpaid do. - - -			600 00
do Public wharves, - -			1,000 00
do Bridges, - - -			2,000 00
do Sewers, - - -			1,000 00
do Fire plugs and cisterns,	312 23		800 00
do Highways and bridges, -			2,000 00
do Pumps, - - -			6,000 00
Flag and stepping stones, - -			600 00
Paving and repaving cross streets,	8,559 52		20,000 00
Erecting new fire plugs, - -	225 00		750 00
New lamps and removing lamps, -	19 50		500 00
City's proportion for repaving streets,			12,000 00
Erecting marble post and new gas,			
Lamp at the battle monument, -			85 00
Continuing fence of Hughes' street,			50 00
Deepening and improving the harbor,			20,000 00
Repairs of Belvidere bridge, -			666 20
Health Department, - - -			3,000 00
Cleaning streets, - - - -			6,000 00
Removal of nuisances, - - -			900 00

All of which is respectfully submitted.

JNO. N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
City Commissioners.

REGISTER'S SUMMARY.

REGISTER'S OFFICE, January 15, 1845.

To the First and Second Branches
of the City Council of Baltimore.

GENTLEMEN:

In compliance with an ordinance, prescribing the duties of the Register, approved May 25, 1838, I have the honor herewith to present a statement of receipts and disbursements on account of the City Corporation, for the year eighteen hundred and forty-four.

Respectfully submitted,

JESSE HUNT, *Register.*

DR. *The Mayor and City Council of Baltimore, in account with*

To CASH PAID,	
City Court expenses, (taxes closed,) - - -	$7 50
Certain expenses, sundry years, do - - - -	155 50
City Court, do 1839, - - - -	18 00
do do 1841, - - - -	49 00
do do 1842, - - - -	1,338 59
do do 1843, - - - -	3,854 46
do do 1844, - - - -	8,753 07
Certain do 1840, - - - -	25 00
do do 1841, - - - -	793 41
do do 1842, - - - -	970 71
do do 1843, - - - -	10,443 38
do do 1844, - - - -	10,704 23
Paving streets, lanes and alleys, - - - -	523 12
Repaving streets, lanes, &c., - - - -	900 71
Payment to George R. Richardson, - - - -	150 00
Payment to the Commissioners of Finance, - -	3,281 25
Compensation to officers out of fines, - - -	169 60
Costs on judgments returned by officers, - - -	23 88
Incidental expenses of Police office, - - -	80 82
Fees to Magistrates for attendance at Police office, -	14 00
Repairs of pumps, - - - - - -	4,688 25
New wells and pumps, - - - - - -	1,558 04
Repairs of Paved streets, - - - - -	10,195 18
do Unpaved streets, - - - - -	296 72
do Sewers, - - - - - -	439 96
do Wharves, - - - - - -	954 79
do Highways and bridges, without limits direct tax, - - - - - -	1,189 92
do Fire plugs and cisterns, - - -	436 92
Redeeming city small certificates, - - - -	34 56
Diary of the City Council, - - - - -	5,380 50
Erecting and removing lamps, - - - -	360 30
Deepening the harbor, - - - - - -	19,231 48
Improving Jones' falls, - - - - - -	1,000 00
Widows and Orphans of those who fell in defence, -	515 00
Interest to William McDonald, - - - -	90 00
Erecting dam in Harford run, - - - - -	29 03
Ground rent Lexington market, - - - -	228 00
do Lot south side of the basin, - -	45 77
do corner Fleet and Market streets, - -	14 80
do City Hall, - - - - - -	306 00
do Lot on Run alley, - - - -	12 50
Insurance on city property, - - - - -	107 00
Fuel for city hall, - - - - - -	221 62
Editors of newspapers, - - - - - -	350 00
Removing nuisances, - - - - - -	815 06
Amount carried forward, - - -	$

JESSE HUNT, *Register, for the year ending* 31*st Dec.* 1844. CR.

By balance in the Treasury, December 31st, 1843, -			$49,189 72
BY CASH RECEIVED,			
City Court Tax for	1840,	- -	4 15
do do	1841,	- -	190 63
do do	1842,	- -	1,118 25
do do	1843,	- -	7,778 06
do do	1844,	- -	6,405 43
City poor do	1840,	- -	9 22
do do	1841,	- -	285 91
do do	1842,	- -	559 37
do do	1843,	- -	6,805 84
do do	1844,	- -	8,235 56
Tax for certain expenses	1840,	- -	7 38
do do	1841,	- -	254 17
do do	1842,	- -	1,598 01
do do	1843,	- -	6,805 84
do do	1844,	- -	12,810 80
School tax for	1840,	- -	2 76
do do	1841,	- -	95 32
do do	1842,	- -	639 50
do do	1843,	- -	9,722 63
do do	1844,	- -	18,301 13
Internal Improvement tax	1840,	- -	55 32
do do	1841,	- -	2,541 40
do do	1842,	- -	20,129 96
do do	1843,	- -	70,003 03
do do	1844,	- -	109,957 55
Direct tax for	1840,	- -	66 38
do do	1841,	- -	1,885 20
do do	1842,	- -	1,807 76
do do	1843,	- -	45,567 15
do do	1844,	- -	97,922 21
Amount carried forward, - - -			$

DR. *The Mayor and City Council of Baltimore, in account with*

	$
Amount brought forward, - - -	
To CASH PAID,	
Interest on stock debt of the city, - - -	23,785 95
Interest on Internal improvement loans, - - -	289,532 92
Erecting fire plugs, - - - - - -	250 00
Expense of elections, - - - - - -	521 24
Winding town clock, - - - - - -	80 00
Keeping in repair alarm bells, - - - -	20 00
Expense of receiving lost children, - - - -	42 75
Flag and stepping stones, - - - - -	536 99
General Dispensary, - - - - - -	400 00
Eastern Dispensary, - - - - - -	300 00
Incidental expense of springs and public walk, -	40 00
Visitors of the jail, (license money,) - - -	1,046 44
Annual appropriations to fire companies, - - -	7,950 00
Special do do - - - -	14,650 64
German society of Maryland, - - - - -	1,800 45
Hibernian society of Maryland, - - - -	42 63
Watching and lighting the city, - - - -	46,977 62
City's proportion of repaving streets, - - -	6,034 46
Expense of city poor, - - - - - -	18,000 00
Filling and paving footways, - - - - -	74 75
Bills of costs, officers fees, &c. - - - -	341 60
Health Department, - - - - - -	2,855 64
Lunatic paupers in Maryland Hospital, - - -	781 86
Taking up swine, - - - - - - -	247 50
Water rent Centre fountain, - - - - -	450 00
Water rent Centre, Hanover and Lexington markets,	70 00
Mayor's salary, - - - - - - -	2,000 00
Register's salary, - - - - - - -	1,500 00
Deputy Register's salary, - - - - -	750 00
City Counsellor's salary, - - - - -	700 00
Health Officer's salary, - - - - -	533 33
City Commissioners and Clerk's salaries, - - -	3,150 00
Commissioner's of Health and secretary's salary, -	1,254 25
Secretary to the Mayoralty salary, - - - -	533 33
Justices of the night watch salary, - - - -	300 00
Keeper of gunpowder salary, - - - - -	524 65
Keeper of the public walk, salary, - - - -	150 00
Keeper's of spring's salaries, - - - - -	599 99
Superintendent's of streets and pumps salaries, - -	1,000 00
Clerk's of markets salaries, - - - - -	2,479 09
Assessor's of tax salaries, - - - - -	1,466 66
High constable's salary, - - - - - -	750 00
Deputy high constable's salary, - - - -	200 00
City Collector and assistant's salaries, - - -	7,272 10
Consulting physician salary, - - - - -	66 66
Appeal Tax Court salaries, - - - - -	300 00
Amount carried forward, - - -	$.

JESSE HUNT, *Register, for the year ending* 31*st Dec.* 1844. CR.

	$
Amount brought forward, - - -	
BY CASH RECEIVED,	
Tax for repairs of highways and bridges, 1841,	9 34
do do do 1842,	44 57
do do do 1843,	1,025 25
do do do 1844,	762 19
Specific tax for 1841, - -	163 77
do do 1842, - -	316 36
Paving tax, - - - - - - -	563 84
Repaving tax, - - - - - - -	778 98
Fines returned by city officers, - - - -	191 70
Fines returned by flour inspectors, - - -	43 61
Manure sold, - - - - - - -	871 69
Storage of gunpowder, - - - - -	546 11
Quarantine revenue, - - - - -	2,075 40
Licenses granted to ordinary keepers by the City Court, - - - - - - - -	8,336 42
do do retailers - - - -	1,016 44
Board of health for interments, - - - -	51 00
Dividends on turnpike road stocks, - - -	252 19
Fines and forfeitures, - - - - -	605 69
Rent lower end South street wharf, - - -	300 00
Establishing boundaries, - - - - -	71 00
Hire of mud machines, - - - - -	4,736 23
Commissioners of Baltimore county, - - -	3,281 25
Interest received from F. Lucas and I. I. Donaldson, Com. for redeeming Rail Road Orders,	1,072 93
Amount carried forward, - - -	$

DR. *The Mayor and City Council of Baltimore, in account with*

	$
Amount brought forward, - - -	
TO CASH PAID,	
Clerk to Register salary. - - - - - - -	333 33
Repairs of Franklin square, - - - - - -	19 40
Loan to Steam Towing company, - - - - -	2,500 00
Removing obstructions, - - - - - - -	24 75
Appropriation to William Schley, - - - - -	500 00
do Bull & Tuttle, - - - - -	21 85
do Mass & Barrickman, - - - -	315 07
Repairs of Cross street, - - - - - - -	100 00
Appropriation to A. J. Bouldin, - - - - -	40 00
Repairs of Hughes street, - - - - - -	216 39
Appropriation to John Mitchell and Jacob Cook, -	25 00
Preservation of trees at the Eastern fountain, - -	50 00
Appropriation to Wm. L. Marshall, - - - -	250 00
Ground rent property in Gay street, - - -	675 95
Repairing City Collector's office, - - - -	30 00
Payment to John Burns, - - - - - - -	238 18
Hose for Centre market, - - - - - - -	54 54
Repairing Gay street bridge, - - - - - -	25 00
Repairing public walk, - - - - - - - -	144 85
Desks and chairs for Council chamber, - - - -	14 00
Tunnelling Chatsworth run, - - - - - -	260 00
do do between Saratoga & Pine-sts.	1,530 00
Harford run walled, - - - - - - - -	571 33
Appropriation to D. H. McDonald, - - - - -	21 00
do Patrick McDonald, - - - - -	75 00
do William Cocks, - - - - -	50 00
do Crey, Benzinger & Eschbach, -	1,183 00
Repairing Belvidere bridge, - - - - - -	1,028 58
Repairing Richmond market, - - - - - -	20 00
Sewer in Vine street, - - - - - - - -	153 75
Repairs of Calvert, Charles and Eastern springs, -	217 10
Repairs of Battle Monument, - - - - - -	250 00
Filling up Albemarle dock, - - - : - -	333 94
Grading and paving Richmond market space, - -	599 93
Erecting Market house, - - - - - - - -	1 56
Printing and incidental expenses City Collector's office	264 51
Property sold for city taxes, - - - - - -	636 27
Purchasers of property sold for city taxes, - -	1,350 98
Compensation to Harbor masters, - - - - -	3,797 99
Books presented to the city of Paris, - - -	47 25
Interest, - - - - - - - - - -	391 43
Advertising for Appeal Tax Court, - - - - -	45 06
Expenses of sale of Union engine house, - - -	56 35
Repairs of Hanover market house, - - - - -	501 77
State tax and commission on stalls, sold, Centre market,	11 66
Repairs of Canal street, - - - - - - -	98 32
Amount carried forward, - - -	$

JESSE HUNT, *Register, for the year ending* 31*st Dec.* 1844. CR.

	$
Amount brought forward, - - -	
BY CASH RECEIVED,	
Fees for certificates and copies of papers, - -	1 00
Tax for new wells and pumps, - - - -	829 32
Dividend received from Baltimore and Ohio Rail Road Company, - - - - - -	87,500 00
Swine sent to the Alms House, - - -	181 00
Interest received from Steam Towing Company,	65 52
Remains of Fish houses, - - - - - -	151 20
Sale of market scales, - - - - - -	20 75
Widdening Ruxton lane, - - - - - -	396 24
Restitution to the city, - - - - - -	40 00
Rent of property on Gay street, - - -	142 84
Insurance on Fish houses, received from Firemen's Insurance Company, - - - -	3,000 00
Christian Keener, (per resolution) - - -	27 34
Property sold for city taxes, - - - -	2,560 49
Property redeemed, - - - - - -	1,126 59
Commissions received for collecting pump tax,	8 54
do do repaving tax,	163 44
do do State taxes,	919 53
Interest on city stock, - - - - - -	3,375 00
Costs of suits received of - - - - -	14 00
Sale of Union Engine house, - - - -	131 60
Sale of Butcher stalls, Centre market, - -	583 68
Sand sold from Hughes street, - - - -	21 63
Sale of scrap iron, - - - - - - -	187 71
Sale of stalls in the Hanover and Bel-Air markets,	3,204 91
Commissions received for collecting paving tax,	784 45
Interest received on taxes for 1841, - - -	385 74
do do 1842, - - -	771 25
Amount carried forward, - - -	$

DR. *The Mayor and City Council of Baltimore, in account with*

	$
Amount brought forward, - - -	
To CASH PAID,	
Taxes refunded, - - - - - - - -	2.072 52
Trustees for the poor for Baltimore city and county, -	2,825 64
Painting numbers for carts, drays, &c. - - -	232 10
Baltimore United Fire Department, - - - -	160 00
Interest on Rail Road Orders funded, - - -	51 81
Walling Jones' Falls between Lombard and Pratt-sts.,	130 98
Opening Bank street, - - - - - - -	1,683 56
Interest to Paul Beck, Jr. - - - - - -	900 00
Opening Josephine street, - - - - - -	231 00
Paving and repaving in front of city property, - -	492 38
Police officer's salaries, - - - - - - -	6,641 75
Cleaning streets, - - - - - - - -	7,051 83
Expense of Public schools, - - - - - -	37,200 00
Paving and repaving Cross streets, - - - - -	18,038 47
Repairs of bridges, - - - - - - - -	1,299 51
Printing, stationery and incidentals, - - - - -	2.314 51
Repairs of Pratt street wharf, - - - - - -	178 94
	633,701 22
Balance in the Treasury, 31st December, 1844, - -	52,192 56
	$685,893 78

JESSE HUNT, *Register, for the year ending* 31*st Dec.* 1844. CR.

	$
Amount brought forward, - . -	
BY CASH RECEIVED,	
Opening Bank street, - - - - - -	1,728 12
Opening Josephine street, - - - - -	239 18
Treasurer of Western Shore, city's proportion of School fund, - - - - - - - -	5,512 13
Licenses in general, - - - - - -	18,130 80
Tonnage and wharfage returned by harbor masters,	21,567 35
Market rents, - - - - - - - - -	15,366 51
City seals, - - - - - - - - -	359 25
Licenses for theatrical performances, - - -	883 00
Foreign passengers, - - - - - -	7,317 66
Interest received on taxes for 1843, - - -	288 41
	$685,893 78

Respectfully submitted,

JESSE HUNT, *Register.*

BALTIMORE, *January* 15*th*, 1845.

CITY COLLECTOR'S REPORT.

City Collector's Office,
Baltimore, January 14, 1845.

To the Honorable Mayor and
City Council of Baltimore:

Gentlemen:

A summary report of the operations of this office for the year eighteen hundred and forty-four is herewith presented, by which it will appear that the whole city levy for 1844 was $417,152 49, of which $264,808 54 have been collected, leaving a balance uncollected of $152,343 95.

Forty-two paving and repaving warrants have been received in this office from the City Commissioners for collection, all the bills for which, amounting to $74,403 04, have been withdrawn by the pavers agreeably to ordinance, on account of commissions on which there has been received $904 20. The warrants for opening Boyd and Josephine streets have been closed, and $1,557 85 paid. Four pump warrants, amounting to $642 40, of which $51 39 has been collected, the balance is in process of collection.

During the short interval between the appointment of the present Collector and the passage of the Ordinance, authorising the late Collector to close the taxes for 1841, 1842 and 1843, there was received on account city taxes for 1842 and 1843, $4,534 59, and for paving and pump tax, $35 50.

All of which is most respectfully submitted.

A. R. LEVERING, *Collector.*

City Collector's Report to the 31*st December*, 1844.

The amount of assessment chargeable with the taxes for 1844, is . .	$63,112,953		
And chargeable with the direct tax, is .		56,681,285	
From which deduct abatements, . .	1,618,321	1,593,739	
	$61,494,632	$55,087,546	
Amount of city court tax on assessment of 61,494,632, at 1¾ cents per $100, is		$10,761 56	
Amount paid the Register, . . .	$6,405 43		
do discount allowed, . . .	262 10		
		6,667 53	
			$4,094 03
Amount of city poor tax on assessment of 61,494,632, at 2¼ cents per $100, is		13,836 29	
Amount paid the Register, . . .	8,235 56		
do discount allowed, . . .	336 99		
		8,572 55	
			5,263 74
Amount of county tax on assessment of 61,494,532, at 3½ cents per $100, is		21,523 12	
Amount paid the Register, . .	12,810 79		
do discount allowed, . . .	524 24		
		13,335 03	
			8,188 09
Amount of school tax on assessment of 61,494,632, at 5 cents per $100, is .		30,747 32	
Amount paid the Register, . . .	18,301 13		
do discount allowed, . . .	748 96		
		19,050 09	
			11,697 23
Amount of internal improvement tax on assessment of 61,494,632, at 30 cents per $100, is		184,483 90	
Amount paid the Register, . . .	109,957 55		
do discount allowed, . . .	4,502 34		
		114,459 89	
			70,024 01
Amount of direct tax on assessment of 55,087,546, at 28 cents per $100, is		154,245 13	
Amount paid the Register, . . .	97,922 21		
do discount allowed, . . .	4,007 45		
		101,929 66	
			52,315 47
Amount of road and bridge tax on assessment of 3,110,338, at 5 cents per $100, is		1,555 17	
Amount paid the Register, . . .	762 19		
do discount allowed, . . .	31 60		
		793 79	
			761 38
			$152,343 95

Amount of city tax levy for 1844, .		$417,152 49	
Amount paid the city Register, . .	254,394 87		
do discount allowed, . . .	10,413 67		
		264,808 54	
Balance uncollected for 1844, . .			$152,343 95
Amount of twenty-nine paving warrants issued by the city Commissioners to the Collector for collection, . .		61,376 43	
Amount paid the Register on account of commissions on the above, . .	751 84		
Amount of thirteen repaving warrants issued by the city Commissioners to the Collector for collection, . .		13,026 61	
Amount paid the Register on account of commissions on the above, . .	152 36		
Amount paid the Register, commissions on paving and repaving warrants, .	904 20		
The whole of the paving and repaving bills were withdrawn by the pavers, and the Collector holds their obligations to pay the balance of the commissions on demand, amounting to $1,327 89.			
Amount of warrants for opening Bank and Josephine streets, benefits .		1,927 90	
Amount collected and paid the Register on account of the above, . .	1,557 85		
Amount of four pump warrants issued by the city Commissioners to the Collector for collection, . . .		642 40	
Amount paid the Register, . . .	51 39		
Balance due on pump warrants, . .			591 01

In addition to the above, the Collector received the following taxes for 1842 *and* 1843, *viz:*

CITY TAXES FOR 1842.

City Court tax,	$4 53	
City poor tax,	2 27	
County tax,	6 46	
School tax,	2 59	
Internal improvement tax,	81 45	
Direct tax,	6 33	
Road and bridge tax,	60	
	$104 23	
Interest,	7 27	
		111 50

CITY TAXES FOR 1843.

City Court tax,	$238 17	
City poor tax,	208 41	
County tax,	208 41	
School tax,	297 71	
Internal improvement tax,	2,143 58	
Direct tax,	1,339 57	
Road and bridge tax,	53 72	
	$4,489 57	
Interest,	45 02	
		4,534 59
Repaving tax for 1843,		13 50
Pump tax for 1843,		22 00
Amount paid the Register,		4,681 59

SUMMARY OF AMOUNTS PAID THE REGISTER.

For taxes of 1844,	254,394 87
commissions on paving and repaving warrants,	904 20
opening streets,	1,557 85
pump warrants,	51 39
taxes, repaving and pump warrants for 1842 and 1843,	4,681 59
	$261,589 90

A. R. LEVERING, *Collector.*

CITY COLLECTOR'S OFFICE,
Baltimore, January 14, 1845.

REPORT

OF THE

COMMISSIONERS OF FINANCE.

To the City Council of Baltimore:

The Commissioners of Finance herewith present their report for the past year. It will be seen that $4000 Court House stock has been purchased out of the sinking fund, applicable to that purpose. The Commissioners received from the Register the entire sum required for payment of interest on city stock debt for the year 1844.

There is still due of the five per cent. stock of 1838 and 1840, certificates amounting to $48,346. To the redemption of this stock the Commissioners recommend that the certificates of stock, which, by the report of the Register, it will be seen remains in his hands, amounting to $45,000, may be applied, for which purpose the certificates held by the Register, together with rents from city property, which by Ordinance is applicable to the redemption of city stock debt will be sufficient.

The Commissioners of Finance recommend that provision be made to take up the six per cent. stock redeemable at pleasure. They would also most respectfully call the attention of the Councils to the five per cent. falling due on the 1st July, 1845.

JACOB G. DAVIES,
GUSTAV W. LURMAN,
WILLIAM KREBS,

Baltimore, January 16, 1845.

Summary of Receipts and Disbursements by the Commissioners of Finance of the City of Baltimore, for the year ending 31*st Dec.* 1844.

To cash paid interest on stock debt of the city,			$312,323 13	By balance on hand last report,		$33,454 51
do Clerk's salary.			100 00	By cash received interest on city stock,		30 00
do On Court House account, viz.				do From Register, to pay interest on stock debt,		313,318 87
For interest,	$4,930 89			do From Register on Court House account, viz,		
For the stock purchased,	3,675 00			do Baltimore Co. levy for 1843,	$3,281 25	
			8,605 89	do Baltimore city do do	3,281 25	
do Off stock, redeemable after 1843,			25,000 00	do do do 1844,	1,781 25	
do Six months ground rent Gay street property,			450 00			8,343 75
				do Rents of city property,		4,221 80
			$346,479 02	do Unclaimed interest,		98 55
To balance in Farmers' and Planters' Bank,	$11,725 24					
do Marine Bank (Court House ac't)	1,263 22					$359,467 48
			12,988 46			
			$359,467 48	By balance brought down,		$12,988 46

STOCK PURCHASED by the Commissioners of Finance FOR THE COURT HOUSE ACCOUNT, viz.

1843. November 13	$2,000 Court House loan, redeemable 1860,—from Townsend Scott, at 91¾ per cent.		$1,835 00
"	2,000 " " from B. I. Cohen & Son, at 92 per cent.		1840 00
			$3,675 00

BALTIMORE, *December* 31*st*, 1844.

REPORT

OF THE

APPEAL TAX COURT.

OFFICE OF APPEAL TAX COURT,
Baltimore, January 14, 1844.

To the Honorable the Mayor and City Council of Baltimore :

GENTLEMEN :

The Appeal Tax Court respectfully present the following statement, shewing the assessed value of property in this city, liable to taxes for city purposes, for the year 1845, viz :

Property within the limits of direct taxation, . .	$55,801,733
Real estate without the limits of direct taxation, . .	3,003,650
Personal property without the limits of direct taxation, .	572,014
Total, ...	$59,377,397

We would further state, as we have estimated, that the amount, (after abatements that will probably be made,) upon which the levy might be predicated, will not exceed $57,500,000.

Respectfully submitted,
Your ob'nt serv'ts,

PETER LEARY,
JAMES L. ARMSTRONG,
A. R. LEVERING,
Appeal Tax Court.

RETURNS

OF

THE DIFFERENT OFFICERS

OF

THE CORPORATION.

For 1844.

Tonnage and Wharfage returned by the Harbor Masters of the FIRST DISTRICT—1844.

Date of Return.	By whom Collected.	Port, or two cent. tonnage.	Wharfage.	Total.
January,	Thomas Stansbury.	128 84	491 90	620 74
February,	do	58 08	213 99	272 07
March,	do	165 06	389 94	555 00
April,	Robert Graves.	105 04	142 28	247 32
May,	do	93 33	241 27	334 60
June,	do	133 84	347 62	481 46
July,	do	138 62	281 48	420 10
August,	do	152 60	305 94	458 54
September,	do	222 88	281 71	504 59
October,	do	173 12	326 75	499 87
November,	do	150 46	264 45	414 91
December,	do	124 18	220 52	344 70
Total,		$1,646 05	$3,507 85	$5,153 90

Tonnage and Wharfage returned by the Harbor Masters of the
SECOND DISTRICT—1844.

Date of Return.	By whom Collected.	Port, or two cent. tonnage.	Wharfage.	Total.
January,	A. Pindell.	114 24	169 07	283 31
February,	do	43 46	69 04	112 50
March,	do	40 24	112 10	152 34
April,	John Grape.	230 38	282 43	512 81
May,	do	277 96	295 88	573 84
June,	do	285 40	320 29	605 69
July,	do	221 84	344 93	566 77
August,	do	237 66	359 47	597 13
September,	do	212 98	350 61	563 59
October,	do	216 64	334 78	551 42
November,	do	190 48	379 76	570 24
December,	do	217 96	346 28	564 24
Total,		$2,289 24	$3,364 64	$5,653 88

Tonnage and Wharfage returned by the Harbor Masters of the
THIRD DISTRICT—1844.

Date of Return.	By whom Collected.	Port, or two cent. tonnage.	Wharfage.	Total.
January,	Thos. A. Lane.	46 84	434 11	480 95
February,	do	42 74	370 00	412 74
March,	do	44 66	339 13	383 79
April,	F. Snow.	55 56	706 92	762 48
May,	do	55 41	731 09	786 50
June,	do	59 52	557 82	617 34
July,	do	52 50	547 92	600 42
August,	do	69 06	559 47	628 53
September,	do	38 74	502 46	541 20
October,	do	42 06	460 81	502 87
November,	do	43 12	560 34	603 46
December,	do	57 41	479 81	537 22
Total,		$607 62	$6,249 88	$6,857 50

Tonnage and Wharfage returned by the Harbor Masters of the
FOURTH DISTRICT—1844.

Date of Return.	By whom collected.	Port, or two cent. tonnage.	Wharfage.	TOTAL.
January,	Wm. Skinner.	25 96	305 95	331 91
February,	do	21 76	128 05	149 81
March,	do	3 64	51 03	54 67
April,	C. W. Focke.	52 40	226 13	278 53
May,	do	66 46	449 67	516 13
June,	do	53 18	427 66	480 84
July,	do	52 40	228 23	280 63
August,	do	48 66	220 04	268 70
September,	do	55 30	232 42	287 72
October,	do	66 48	278 19	344 67
November,	do	39 40	318 98	358 38
December,	do	64 66	485 42	550 08
TOTAL,		$550 30	$3,351 77	$3,902 07

RECAPITULATION OF HARBOR MASTERS RETURNS.

First District, gross receipts, ...	5,153 90
Second do do	5,653 88
Third do do	6,857 50
Fourth do do	3,902 07
	21,567 35
Deduct commission paid harbor masters, . .	3,797 99
Net proceeds from tonnage and wharfage, . .	$17,769 36

LEXINGTON MARKET REVENUE for 1844.

CALEB WHITTEMORE, *Clerk*—JAMES WILSON, *Assistant Clerk.*

84	Butcher Stalls, licensed at $5 00 - - - - -	$420 00
118	Permanent Stalls, at 5 00 - - - - -	590 00
122	Eave Stalls, at 5 00 - - - - - -	610 00
44	Moveable Stalls, at 5 00 - - - - -	220 00
26	Fish Stalls, at 5 00 - - - - - -	130 00
		1,970 00
	Rents by the Clerk, - - - - - - - -	2,157 24
	Per-diem Rents by the Assistant Clerk, - - -	1,926 62
		$6,053 86

CENTRE MARKET REVENUE for 1844.

THOS. C. DUNLEVY, *Clerk*—JOSEPH R. FOREMAN, *Assistant Clerk.*

94 Butcher Stalls, licensed at	$5 00	$470 00
67 Permanent Stalls, at	5 00	335 00
69 Eave Stalls, at	5 00	345 00
83 Moveable Stalls,	5 00	415 00
42 Fish Stalls,	5 00	210 00
6 Cucumber Stalls,	5 00	30 00
3 Street Stalls,	5 00	15 00
		1,820 00
Rents by the Clerk,		3,317 19
Per-dium Rents by the Assistant Clerk,		2,858 48
		$7,995 67

HANOVER MARKET REVENUE for 1844.

CHARLES BROWN, *Clerk.*

57 Butcher Stalls, licensed at	$5 00	$285 00
39 Permanent Stalls, at	5 00	195 00
47 Eave Stalls, at	5 00	235 00
4 Fish Stalls,	5 00	20 00
		$735 00
Rents by the Clerk,		1,236 00
Per-diem Rents by the Clerk,		1,147 02
		$3,118 02

FELL'S POINT MARKET REVENUE for 1844.

GEORGE WAGGNER, *Clerk.*

38 Butcher Stalls, licensed at	$5 00	$190 00
1 Permanent Stall, at	5 00	5 00
4 Eave Stalls, at	5 00	20 00
13 Moveable Stalls, at	5 00	65 00
7 Fish Stalls, at	5 00	35 00
		$315 00
Rents by the Clerk,		687 75
Per-diem Rents by the Clerk,		1,014 50
		$2,017 25

BEL-AIR MARKET REVENUE for 1844.

BENJAMIN WEST, *Clerk.*

40 Butcher Stalls, licensed at $5 00 - - - - -	$200 00
Rents by the Clerk, - - - - - - - -	1,021 71
	$1,221 71

RICHMOND MARKET REVENUE for 1844.

GEORGE C. JOHNSON, *Clerk.*

6 Butcher Stalls, licensed at $5 00 - - - - -	$30 00
1 do do at 2 10 - - - -	2 10
	$32 10

HOLLINS MARKET REVENUE for 1844.

4 Butcher Stalls, licensed at $5 00 - - - - -	$20 00

BUTTER AND LARD INSPECTED—1844.

ROBERT LAWSON, Jr. and SAMUEL STUMP, *Inspectors.*

Butter.

2,399	kegs.
13	barrels.
60	half barrels.
42	firkins.
2,514	

Lard.

24,299	kegs.
2,960	barrels.
68	half barrels.
27,327	

STORAGE OF GUNPOWDER DURING THE YEAR 1844.

GEORGE TAYLOR, *Keeper.*

Received on storage.	*Remaining on hand,* 1st *Nov.* 1844.
2,283 kegs.	492 kegs.
53 half kegs.	20 half kegs.
121 quarter kegs.	23 quarter kegs.
42 boxes.	4 boxes.

Amount received for Storage,	1st	quarter,	- - - -	$131 05
do	do	2d	do - - - -	152 09
do	do	3d	do - - - -	134 58
do	do	4th	do - - - -	128 39
				$546 11

BEEF AND PORK INSPECTED—1844.

PHILIP PIPER, *Inspector.*

2,718 tierces Beef, Baltimore packed.
7,739 barrels Beef, Baltimore packed.
1,269 half barrels Beef, Baltimore packed.
299 quarter barrels Beef, Baltimore packed.
51 kegs Beef, Baltimore packed.
95 barrels Beef, foreign packed.
5,003 barrels Pork, Baltimore packed.
100 half barrels Pork, Baltimore packed.
312 tierces Pork, Baltimore packed.
8,048 barrels Pork, foreign packed.
273 half barrels Pork, foreign packed.
148 quarter barrels Pork, foreign packed.

26,055

RETURN of the SUPERINTENDENTS OF CHIMNEY SWEEPERS.

Number of old houses in 1843, - - - - - - -	18,591
Number of new houses erected in 1844, - - - - -	609
	19,200
Total increase of houses in 1844, - - - - - - -	609

SIXTEENTH ANNUAL REPORT

OF THE

COMMISSIONERS OF PUBLIC SCHOOLS

TO THE

MAYOR AND CITY COUNCIL.

To the Mayor and City Council of Baltimore:

GENTLEMEN,

The Commissioners of Public Schools, in obedience to the ordinance establishing the schools, have the honor to submit their report for the year eighteen hundred and forty-four, being the sixteenth annual Report.

The board was organised in January last by the election of JOHN B. EMERY, *President*, and *Henry S. Sanderson*, Treasurer. Mr. *John W. Tilyard*, the former clerk of the board, was continued in office.

During the year Messrs. Joseph A. Ramsey, H. Willis Baxley, William F. Frick, and Britain Chase have been appointed by the board to fill vacancies created by the resignation of Messrs. Hugh A. Cooper, Samuel Harris, Samuel Mass and A. H. Pennington.

On the first of February last, the school house at the corner of Cove street and Ridgely alley, for the accommodation of male and female No. 8, was completed, and opened with a respectable number of scholars. It has been insured in the Firemen's Insurance office for $4,000.

Agreeably to a communication made to the last Council, the commissioners have established a higher grade of female schools, in which the different branches of a liberal education may be taught.

While this arrangement is necessary to the perfection of the system, it also increases the efficiency of the female public schools, where hitherto much of the principals' time was necessarily devoted to a few advanced pupils to the unavoidable neglect of the great body of scholars. As females are more delicate than males, and cannot attend school at a remote distance, especially in inclement weather, convenience seemed to require two schools, one in the east and the other in the west. As the house at the corner of Front and Pitt streets, known as Female No. 3, was inconvenient and in a decaying state, the commissioners contracted with Mr. William H. Hooper for the erection of a

building on its site, that would accommodate the eastern female High School and female No. 3. The house has been erected, and is 50 feet long by 34 feet—is two stories high, with convenient study and recitation rooms—is built in a neat and substantial manner—and cost with its furniture, $3,500. The High School occupies the second story, the primary school the first story. For the western female High School, a commodious building has been rented in Paca street, near Fayette, at $200 per annum. For these schools the services of able and experienced teachers have been obtained, and though they have but recently gone into operation, we anticipate the most beneficial results to the system from their establishment. Mr. David Ring is principal of the eastern female High School: Mr. Robert Kerr of the western. Their salary is $750 per annum.

In obedience to an ordinance of the City Councils, approved March 11th, "authorising and directing" the commissioners to purchase for the High School the property known as the "Assembly Rooms and Theatre Tavern," the commissioners purchased the aforesaid property at a price of $23,000, and obtained a deed for the same. They have paid $8,000 of the purchase money, and given the obligations of the city, signed by the board as agents, for the remaining $15,000, in three annual instalments of equal amount.

The tavern has been removed, and its former site makes a suitable yard for the accommodation of the schools in the building. The room on the first floor of the building, occupied by male school No. 9, was found too small for the number of pupils in attendance. The school was accordingly divided, and the junior pupils, under the care of Mr. M'Nevin, the assistant, were transferred to the basement, which had been altered and fitted up in a convenient manner for their use. Results demonstrate the prudence and economy of the purchase of this property. Besides accommodating three schools; the library room and saloon afford a clear revenue of three and an half per cent. on the purchase money. Nor will this revenue be much impaired under the most extended operations of the high school: for as the school will probably never require the use of the saloon, except for lectures, which will take place during the day, this occupation of the saloon need not prevent its being rented at night for lectures, concerts and the like entertainment.

The High School, which at its institution had a signal effect in recovering the schools from their declension, and has contributed so much to give respectability and permanency to the system, still maintains its reputation, and with increased facilities, gives evidence of increased usefulness. Though its expenses are considerable when compared with those of other schools, they have not at any time exceeded or even been commensurate with the objects contemplated and secured by its operations.

Several considerations have induced the commissioners to discontinue the night schools. First and chiefly—that the number of scholars in attendance, and the amount of good accomplished did not justify the

necessary expense of keeping them open—that early youth when the will is tractable, and the disposition docile, is a season more favorable for improvement than a later period, when the mind is froward and impatient of restraint—and that those who neglected to avail themselves in early life of the advantages afforded by the public day schools, cannot reasonably expect the city again to make provision for them at triple the expense. The principle of desiring the greatest good to the greatest number from the smallest expenditure, forbids such an expectation.

The night schools would seem, in some instances, to afford undue advantages to some; as in the case of those who may have a large number of apprentices under them, for the education of whom they have received valuable considerations in the provisions of the indentures they hold, and consequently have less reason to look for the special munificence of the city.

Several changes have taken place in the teachers during the present year: Miss M. Godman, principal, and Miss E. Godman, assistant, of female No. 6, were superseded in August last by Miss A. L. Story, the former principal of female No. 5, and Miss Ann Cockey;—Miss Emily Jours, assistant at female No. 4, was transferred as principal to female No. 5; and Miss Sarah Barrett appointed to fill the vacancy thus created.

On account of the increase of pupils in our female schools, the board determined whenever there are over two hundred pupils in any school, to employ second assistants at $50 per annum.

This is considered a wise economy, for it will enable the other teachers to devote more time to larger pupils, and secure much greater progress in study. This is a new and interesting feature in our school operations, and the board confidently expect the happiest results from regarding our High Schools, male and female, as Normal Schools. After their probationary studies in these schools, pupils who may wish to make teaching a profession, would be greatly benefitted themselves by a subordinate place in the primary schools for a year or two, while their services would be equally as valuable to the schools, as those of teachers at a higher salary; and much expense to the city might be avoided. Having approved themselves efficient in these stations, they might be advanced *gradatim* till they were at length made principals of schools. Teachers thus reared and educated in the schools are familiar with all their details—their characters and acquirements fully known to the commissioners—would be, in general, better calculated to conduct our public schools than other teachers. While this policy would redound much to the credit of the system, it would also afford young persons of talent and education, who have not means to embark in other enterprises, a field for employment alike profitable to themselves and to the community at large.

The public examinations in April last, and the private examinations recently held by the board, were for the most part highly creditable to the ability and activity of the teachers, and the industry of their

pupils, and afforded abundant evidence of the efficiency of the system and of its claims to the general patronage of the public.

The progress of the pupils in the musical department evinces care and ability on the part of the instructor,—upwards of three thousand pupils are instructed at an annual expense of less than $600, making the charge for each pupil less than twenty cents per annum—is a consideration which ought to meet the favor of the public; and the popularity of the concerts which have been given, *prove* the deep hold it has taken on the affections of the people.

In accordance with the 5th section of ordinance No. 7, passed at the last session of the Council, requiring "the treasurer to give bonds to the corporation for the trust reposed in him," bonds were prepared and offered to the Mayor and Register, but were refused by both, as they did not consider themselves authorised by the ordinance to receive them. It would seem that the Mayor, as representative and executive of the corporation, is clearly indicated and embraced in the term "corporation." The Council however, in its wisdom, will determine whether any further legislation is necessary in the premises.

In the management of the fiscal affairs of the schools, rigid economy has been observed as far as a just regard for the interest of the system would permit—and all the supplies of the schools have been furnished by contract at the lowest prices.

In all cases where parents have been found unable to pay for the education of their children, free admission has been granted in the manner least calculated to effect the feelings of the parent or child.

The following list embraces the schools, with the teachers who have charge of them, and the number of pupils on the roll:

HIGH SCHOOL,

Corner of Holliday and Fayette streets:

Mr. Brooks, Principal—Messrs. Gibson & McIntire, Assistants, 135

MALE SCHOOL No. 1,

Corner of Green and Fayette streets:

Mr. M. Connolly, Principal—Mr. Meginny, Assistant, . . . 245

MALE SCHOOL No. 2,

Corner of Market and Bank streets:

Dr. Grammer, Principal—Mr. Murphy, Assistant, ... 211

MALE SCHOOL No. 3,

Corner of Aisquith and Pitt streets:

Mr. R. Connolly, Principal—Mr. McCroden, Assistant, . . . 311

MALE SCHOOL No. 4,

Corner of Hanover and Barre streets:

Mr. Falconer, Principal—Mr. Coulter, Assistant, ... 300

MALE SCHOOL No. 5,
Corner of Monument and Forrest streets:
Mr. Robinson, Principal—Mr. Charles, Assistant, ... 228

MALE SCHOOL No. 6,
Ross street, near Biddle:
Mr. E. Y. Reese, Principal—Mr. Creery, Assistant, ... 200

MALE SCHOOL No. 8,
Corner of Cove street and Ridgely Alley:
Mr. Johnson, Principal—Mr. McCann, Assistant, ... 202

MALE SCHOOL No. 9,
High School Building:
Mr. Harshaw, Principal—Mr. McNevin, Assistant, ... 207

EASTERN FEMALE HIGH SCHOOL,
Carner of Front and Pitt streets:
Mr. David Ring, Principal, ... 36

WESTERN FEMALE HIGH SCHOOL,
Paca street, near Fayette:
Mr. Robert Kerr, Principal, ... 36

FEMALE SCHOOL No. 1,
Corner of Green and Fayette streets:
Miss McConkey, Principal—Mrs. Miller, Assistant, ... 166

FEMALE SCHOOL No. 2,
Corner of Market and Bank streets:
Miss Mary McDermot, Principal—Miss Margaret McDermot, Assistant—Miss Ann Maria Ross, second Assistant, . . . 198

FEMALE SCHOOL No. 3,
Corner of Front and Pitt streets:
Mrs. Ross, Principal—Miss Brown, Assistant—Miss H. Yater, second Assistant, ... 205

FEMALE SCHOOL No. 4,
Corner of Hanover and Barre streets:
Mrs. King, Principal—Miss Barrett, Assistant, ... 183

FEMALE SCHOOL No. 5,
Corner of Monument and Forrest streets:
Miss Jours, Principal—Miss Simpson, Assistant, ... 191

FEMALE SCHOOL No. 6,
Ross street, near Biddle:
Miss Story, Principal—Miss Cockey, Assistant, ... 110

FEMALE SCHOOL No. 7,

——— *street, Canton.*

Miss Mary Rice, Principal, ... 40

FEMALE SCHOOL No. 8,

Corner of Cove street and Ridgely Alley:

Miss King, Principal—Miss Johnston, Assistant, ... 162

3,366

By the above it will be seen that the number of scholars in attendance in the day schools, has increased 697 during the past year.

In conclusion, the board congratulate the Council and the friends of education, upon the success of a system inseperably connected with our social and political happiness, and beg for the means of continuing it in a manner corresponding to the importance of its objects and the munificence of the city.

To enable the board to meet all its present and future engagements with promptitude, they would earnestly recommend that the former levy of five cents in the hundred dollars, be continued.

The treasurer's general account, exhibiting the receipts and expenditures for the present year, is subjoined as a part of this report.

His account current, with the proper vouchers, are deposited in the office of the Commissioners of Public Schools, for the inspection of the City Council.

For an estimate of the expenditure and receipts for the ensuing year, the treasurer's report hereto annexed, will fully explain.

All of which is respectfully submitted.

J. B. EMERY, President.
H. S. SANDERSON,
STEPHEN COLLINS,
JOHN F. MONMONIER,
DAVID IRELAN,
T. O. SOLLERS,
BRITAIN CHASE,
M. TONER,
WILLIAM RUSK,
WM. F. FRICK,
JOHN WILSON,
H. WILLIS BAXLEY,
E. STANSBURY, Jr.

DR. *Commissioners of Public Schools of the City of Baltimore,*

1844			
	HIGH SCHOOL.		
Dec. 31	To cash paid teachers' salaries,	$3000 00	
	" " for books and stationery,	557 11	
	" " rent,	650 00	
	" " on building and interest,	8,225 00	
	" " for incidentals, including repairs, &c,	956 19	
			$13,388 30
	WESTERN FEMALE HIGH SCHOOL.		
Dec. 31	To cash paid teachers' salary,	$125 00	
	" " books and stationery,	251 41	
	" " incidentals, desks, &c.	202 99	
			579 40
	EASTERN FEMALE HIGH SCHOOL.		
Dec. 31	To cash paid incidentals,	$123 53	
	" " on account of building,	1,494 96	
			1,618 49
	MALE SCHOOL No. 1.		
Dec. 31	To cash paid teachers' salaries,	$1,650 00	
	" " ground rent,	102 00	
	" " books and stationery,	500 95	
	" " Incidentals, including repairs,	206 02	
			2,458 97
	MALE SCHOOL No. 2.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	174 05	
	" " ground rent,	122 22	
	" " incidentals, including repavement, &c.	218 15	
			2,039 44
	MALE SCHOOL No. 3.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	250 93	
	" " ground rent,	109 50	
	" " incidentals, including repairs,	256 28	
			2,141 71
	Amount carried forward,		$

in account with HENRY S. SANDERSON, *Treasurer.* CR.

1844 Jan. 1	By balance in hands, ...	$705 95
Dec. 31	By cash received for tuition, ...	427 50
Dec. 31	By cash received for tuition, ...	74 00
Dec. 31	By cash received for tuition, ...	32 00
Dec. 31	By cash received for tuition, ...	856 50
Dec. 31	By cash received for tuition, ...	744 01
Dec. 31	By cash received for tuition, ...	915 00
	Amount carried forward,	$

Dr. *Commissioners of Public Schools of the City of Baltimore,*

1844	To amount brought forward,		$
	MALE SCHOOL No. 4.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	539 60	
	" " ground rent,	105 00	
	" " incidentals, repairs, &c.	211 97	$2,381 57
	MALE SCHOOL No. 5.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	89 38	
	" " incidentals,	157 33	1,771 71
	MALE SCHOOL No. 6.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	478 67	
	" " ground rent,	75 00	
	" " incidentals,	169 06	2,247 73
	MALE SCHOOL No. 8.		
Dec. 31	To cash paid teachers' salaries,	$1,012 50	
	" " books and stationery,	483 11	
	" " incidentals,	247 88	
	" " balance due on building,	2,334 72	4,078 21
	MALE SCHOOL No. 9.		
Dec. 31	To cash paid teachers' salaries,	$1,525 00	
	" " books and stationery,	328 92	
	" " rent,	150 00	
	" " incidentals, including fitting up room, desks, &c.,	739 30	2,743 22
	FEMALE SCHOOL No. 1.		
Dec. 31	To cash paid teachers' salaries,	$700 00	
	" " books and stationery,	227 67	
	" " ground rent,	102 00	
	" " incidentals, desks, &c.,	204 57	1,234 24
	Amount carried forward,		$

in account with HENRY S. SANDERSON, *Treasurer.* CR.

1844	By amount brought forward,	$
Dec. 31	By cash received for tuition, ...	$998 46
Dec. 31	By cash received for tuition, ...	616 49
Dec. 31	By cash received for tuition, ...	795 35
Dec. 31	By cash received for tuition, ...	699 54
Dec. 31	By cash received for tuition, , ...	745 81
Dec. 31	By cash received for tuition, , ...	604 36
	Amount carried forward,	$

Dr. *Commissioners of Public Schools of the City of Baltimore,*

1844	To amount brought forward,		$
	FEMALE SCHOOL No. 2.		
Dec. 31	To cash paid teachers' salaries,	$700 00	
	" " books and stationery,	44 00	
	" " ground rent,	122 22	
	" " incidentals,	146 81	
			$1,013 03
	FEMALE SCHOOL No. 3.		
Dec. 31	To cash paid teachers' salaries,	$700 00	
	" " books and stationery,	85 85	
	" " ground rent,	186 00	
	" " incidentals, including new desks, &c.,	391 46	
	" " on account of the building,	1,494 96	
			2,858 27
	FEMALE SCHOOL No. 4.		
Dec. 31	To cash paid teachers' salaries,	$688 76	
	" " books and stationery,	216 07	
	" " ground rent,	105 00	
	" " incidentals, repairs,	172 26	
			1,182 09
	FEMALE SCHOOL No. 5.		
Dec. 31	To cash paid teachers' salaries,	$684 94	
	" " books and stationery,	61 30	
	" " incidentals,	141 22	
			887 46
	FEMALE SCHOOL No. 6.		
Dec. 31	To cash paid teachers' salaries,	$658 33	
	" " books and stationery,	265 02	
	" " ground rent,	75 00	
	" " incidentals,	131 49	
			1,129 84
	FEMALE SCHOOL No. 7.		
Dec. 31	To cash paid teacher's salary,	$300 00	
	" " books and stationery,	7 25	
	" " incidentals,	111 87	
			419 12
	Amount carried forward,		$

in account with HENRY S. SANDERSON, *Treasurer.* CR.

1844	By amount brought forward,	$
Dec. 31	By cash received for tuition, ...	$624 52
Dec. 31	By cash rcceived for tuition, ...	473 25
Dec. 31	By cash received for tuition, ...	717 61
Dec. 31	By cash received for tuition, ...	438 24
Dec. 31	By cash received for tuition, ... , . .	414 90
Dec. 31	By cash received for tuition, ...	110 65
	Amount carried forward,	$

Dr. *Commissioners of Public Schools of the City of Baltimore,*

1844	To amount brought forward,		$
	FEMALE SCHOOL No. 8.		
Dec. 31	To cash paid teacher's salaries,	$525 00	
	" " books and stationery,	392 45	
	" " incidentals,	278 39	
	" " balance due on building,	2,334 71	
			$3,530 55
	ASSEMBLY ROOMS.		
Dec. 31	To cash paid gas, fuel, &c.,		351 44
	SUNDRIES.		
Dec. 31	To cash paid J. W. Tilyard, Clerk,	$200 00	
	" " H. S. Sanderson, Treasurer,	200 00	
	" " L. Wilder, salary,	500 00	
	" " incidentals,	468 85	
			1,368 85
	Balance on hand,		867 52
			$50,291 14

in account with HENRY S. SANDERSON, *Treasurer*, CR.

1844	By amount brought forward,		$
Dec. 31	By cash received for tuition, ...		$555 83
Dec. 31	By cash received for rent, ...		1,020 80
Dec. 31	By cash received from City Register, . . .	$37,200 00	
	" " Farmers & Merchants' Bank,	475 20	
	" " sundries, ...	45 17	
			37,720 37
			$50,291 14

DR. *Summary of the Receipts and Expenditures for* 1844. CR.

To cash received for Tuition,	$11,549 97	By Salaries, Teachers Male Day Schools,	$14,037 50
" " Rent, Assembly Rooms,	1,020 80	" " Male Night Schools,	1,400 00
" " Dividends, Bank Stock,	475 20	" " Female Schools,	4,957 03
" " City Register,	37,200 00	By Ground Rent, and Rent High School, and Male School No. 9,	1,903 94
" " J. J, Cohen, Jr. & Bro's,	44 55	Books and Stationery,	4,953 74
" " A. R. Blakely, for bricks,	62	Salary, Clerk of the Board,	200 00
		Salary, Treasurer,	200 00
		Incidentals, including repairs, alterations, fuel, &c.	5,535 62
		Assembly Rooms,	351 44
		Building, Pitt street,	2,989 92
		Building, Assembly Rooms,	8,225 00
		Building, Cove street,	4,669 43
		Balance in Treasurer's hands,	867 52
	$50,291 14		$50,291 14

ESTIMATE OF

EXPENDITURES AND RESOURCES for 1845.

EXPENDITURES.		
For Salaries of the Teachers, as the Schools are at present organized,	$23,050 00	
Ground Rents,	1,268 94	
Salaries, Clerk and Treasurer of the Board,	400 00	
Books and Stationery,	6,500 00	
General and School incidentals,	6,000 00	
Bills outstanding, estimated at	2,000 00	
Assembly Rooms, Note and interest,	5,825 00	
		$45,043 94
RESOURCES.		
Balance in the Treasurer's hands,	$867 52	
Fees for Tuition, estimated at,	11,000 00	
Dividend on Bank Stock,	475 20	
Rent of Assembly Rooms,	800 00	
Leaving a deficiency to be provided for by the City Council, of	31,901 22	
		$45,043 94

H. S. SANDERSON, Treasurer.

BALTIMORE, 31st Dec. 1844.

Office of the Commissioners of Public Schools,
BALTIMORE, *January* 3, 1845.

The undersigned Commissioners of Public Schools, appointed by the Board to examine the Treasurer's accounts, have performed that duty, and found them correct and sustained by proper vouchers, leaving a balance in his hands of eight hundred and sixty-seven dollars, and fifty-two cents.

WM. F. FRICK,
WILLIAM RUSK,
T. O. SOLLERS,
Committee.

TIDE WATER CANAL.

Statement of Receipts and Expenditures, Susquehanna and Tide Water Canals, 1843.

RECEIPTS:		
Tolls collected, ...		$71,311 63
EXPENDITURES:		
Repairs, labor, and lock-keepers, ...	$11,667 70	
Outfit and repairs of Steam Tow Boat, ...	554 55	
Collectors, ...	1,400 00	
Superintendent, ...	800 00	
Expenses collector's offices, including rent, taxes, &c.	756 16	
Office and management, ...	5,428 77	
Incidental expenses, including damages, Counsel fees, and payments on several judgments in Harford and York counties, ...	10,466 81	
Debts of 1841 and '42, and other preferred debts,	37,024 95	
Paid on account of secured bonds, issued for repairs of Conestoga Dam in 1841, ...	2,468 98	
Paid on account of expenses and management, 1844,	308 33	
	$70,876 25	
Outstanding tolls, ...	435 38	
		$71,311 63

SUSQUEHANNA CANAL OFFICE,
Baltimore, May 13, 1844.

EIGHTEENTH ANNUAL REPORT

OF THE

PRESIDENT AND DIRECTORS TO THE STOCKHOLDERS

OF THE

BALTIMORE & OHIO RAIL ROAD COMPANY.

At a meeting of the Stockholders held pursuant to the charter, on the second Monday of October eighteen hundred and forty-four, in the city of Baltimore, the President and Directors of the Baltimore and Ohio Rail Road Company submitted the following report and statement of the affairs of the company:

First.—*Of the Main Stem.*

The statement A shews the state of the Company's affairs on the 30th ultimo; and the revenue and expenses of the *Main Stem*, for the year ending on the same day, are shewn by the statement B.

There is also submitted a tabular statement, marked C, prepared by the Engineer of Machinery and Repairs, which presents in detail the operations of the Main Stem, and the actual expenses of working that part of the road during the year: together with the amount of receipts, from all sources, during the same period.

These statements shew a considerable increase both of travel and trade: and a diminution in the expenses, in proportion to the amount of business; and it is worthy of remark that, although the number of passengers over the entire length of the road, has increased at least thirty-six per cent. upon that of the past year, the aggregate increased cost of transporting them does not exceed five hundred dollars.

It is believed that the economy in the working and management of the road, is as perfect as that of any other similar road in this country or in Europe.

The revenue received from passengers, is greater by $59,712 21, and that from tonnage $22,061 32 than the receipts from the same sources during the preceding year; making together $81,773 53.

The net receipts from the business of the Main Stem, over and above the expenses, independent of its connection with the Washington Branch, amount to the sum of $346,946 03, being nearly five per cent.

upon the capital, and one per cent. more than the net earnings of the year ending on the 30th of September 1843.

The injuries to three of the culverts near Harper's Ferry, alluded to in the last annual report, have been fully repaired, and the work finished in the most substantial manner, at a cost of $1,500 less than the estimate presented in that report. The Board regret that, in the present report, they are called to record an accident to the bridge over the Potomac river at Harper's Ferry, by which one of the arches of that structure has been destroyed.

The arch gave way under the weight of a single Engine and tender, after sustaining the entire work of the road for nearly two and a half years, and, only the day previous, eight heavy trains of passengers and burthen, without the slightest indication of defect or weakness in any part.

Providentially, no life was lost, and but slight injury sustained by any of the men who were carried down in the fall; nor was the Engine materially damaged.

A delay of a few hours only was occasioned in the passenger travel, and the interruption in the tonnage transportation was less than a week.

The remaining six arches of the bridge, even those contiguous to that which fell, have received no injury from the fall. A thorough investigation into all the particulars of the accident, has satisfied the Board that it was occasioned by the decay of several pieces of timber, comprising an important part of the framing of the arch.

This part of the superstructure in order to protect it as far as practicable from the weather, had been closely covered by weather boarding and roofing, which rendered it inaccessible to the ordinary inspection constantly made of these structures; and the timber having been in use for two years only, there was no reason to suspect any unsoundness.

No settlement of the frame had previously taken place inconsistent with the soundness and safety of the structure, and it had borne, only the evening previous, the usual trials of its strength: indeed the final fracture took place in a part of the frame so situated, and so surrounded and kept in place, as that there could be no sensible yielding without a total giving away. The decay, therefore, most probably proceeding from an unperceived leak in the tin roof and the spreading of the water between the several pieces of timber composing the straining beam, had been progressing silently and unsuspected, until the strength of the remaining sound wood became insufficient to withstand the strain to which it was subjected.

This accident, it is believed, does not authorise any suspicion of an inherent defect in the principle of construction of this, or any other bridge employed on the line of the road. In the opinion of the skilful Engineers, by whom the plan of the bridges was adopted, it is a combination of the most excellent and approved forms of superstructure known to the science of engineering: the principal features being

modeled after those of the celebrated bridge over the Rhine at Schaffhausen, which, previously to its destruction by fire, was considered one of the most admirable specimens of the art in the world. The heavy trade of the rail road, and of numerous droves of cattle on that part of it common to the public, which the ruined arch had withstood for more than two years, and the greater evidence of strength offered by some other bridges precisely the same in principle on other parts of the line, for upwards of five years, also inspire great confidence in the plan of these structures; which, from the lesson now learned, may be rendered even more secure in the future.

Immediately after the occurrence of the accident, the weather boarding was removed from all the other structures upon the line of the road, and a minute investigation made into the state and condition of all their parts.

Every precaution will be immediately taken to give additional strength and security to these structures; and nothing will be omitted to prevent a recurrence of an accident.

The Board have already determined upon a plan of reconstructing the arch at Harper's Ferry, which will not only ensure more adequate protection of the timber from the effects of the weather, but, at the same time, expose all parts of the structure to a daily and minute investigation of their condition.

The entire loss occasioned by the accident, and the sum required to restore the arch to a condition of even greater strength and security, is estimated not to exceed $7,594 40, being $8,932 92 less than the surplus revenue of the year just ended.

In all other respects the entire line of the road, including the depots and water stations; together with the cars, engines and machinery of every description, are in a state of thorough repair, and adequate, without augmentation, for the acomomodation of twelve per cent. more than the business of the past year.

During the year there have been paid to the Messrs. Baring an instalment of $50,000, and interest to the amount of $14,809 72, amounting, with the cost of placing the funds in England, to $71,106 92, and the former being paid in advance produced a saving in interest of $1,100. After these payments the balance due Messrs. Baring, payable in annual instalments of $50,000, is reduced to $200,000.

In the same time there has been paid from the receipts of the year, for an additional engine mentioned in the last annual report; for walling the shafts of the Doe Gully Tunnel, keying up and refitting bridges; for the sideling at Dam No. 6, under the arrangement with the canal company; for improvements at the Cumberland depot, balances for right of way, and various other items arising out of the construction of the road, the sum of $46,747 45.

There have also been paid in the year $29,200 of the debts remaining unpaid, alluded to in the last annual report; leaving of this class unsettled only $11,500, which is yet in litigation.

Besides the foregoing items, there have been applied during the year $38,216 74 to the construction of coal cars for the transportation of coal from the mines to Baltimore, pursuant to the contract with the Maryland and New York Iron and Coal Company, referred to in another part of this report; and which, during the present year, the Board propose to reimburse from the proceeds of the coal trade.

After these payments, and the payment of interest on account of the million loan, the net revenue of the year from the *Main Stem*, (including the sum of $61,956 received from the Washington road,) amounts to $200,582 18, and with $10,945 14, the surplus of the year 1843, makes an aggregate of revenue on hand from this road, of $211,527 32.

Of this, the Board have applied to the purposes of the sinking fund, according to the resolution announced in the annual report of 1842, for the reimbursement of the loan contracted for the construction of the Washington road, the sum of $20,000, and of the balance, they have determined to divide among the stockholders, two dollars and fifty cents upon each share of stock, payable on and after the first day of November next; leaving a surplus of $16,527 32; being $8,932 92 more than the cost estimated to repair the loss occasioned by the accident to the bridge at Harper's Ferry.

While reporting the condition of the Main Stem, and result of the operations of the year, the Board would not discharge their duty if they failed to recall the attention of the stockholders, and especially that of the city authorities, to the onerous expenditure annually incurred by the necessity of introducing passengers and burthen into the city by the employment of horse power, and which must necessarily subtract that sum, whatever it may be, from the amount which might otherwise be divided among the stockholders, and paid into the city treasury. This source of expense, already amounting annually to not less than $18,171 77, must continue to increase in proportion to the augmentation of trade and travel over the road.

Considering the numerous sources of competition with which, in its present unfinished condition, this work so essential to the prosperity of the city, must contend, every motive of sound policy would seem to recommend the utmost possible reduction in the expenses of transportation; and if Baltimore hope successfully to contend with other rival works, in whatever quarter they may exist, the public authorities will find it necessary to lend all the aid in their power to cheapen the introduction of produce and merchandise into this market.

The necessity of employing horse power through the streets of the city, does not add less than ten cents per ton to transportation of all kinds upon the rail road; of which the obvious effect is not only to drive much of the trade to other channels, but to reduce the net revenue upon that which it may be possible to retain.

The harmless employment of steam power under proper regulations in the streets of other cities, and, by another company, in those of Baltimore, already shews that the privilege may be extended to this

company without serious apprehension of damage; and it may be safely affirmed that if the city authorities desire to retain the present amount of trade in flour and other produce; or to enjoy to any considerable extent the advantages of the transportation of coal, this privilege will be indispensable.

In the last annual report, the stockholders were informed that, upon the application of the Chesapeake and Ohio Canal Company, the Board had consented, with their existing power, and as a part of the general trade, to engage in the transportation of coal from Cumberland to Dam No. 6 on the canal, at two cents per ton per mile, to be thence carried by the canal to the District of Columbia; and it was at the same time stated that, the company might engage in it at a less charge on the whole or any part of the line.

It will appear in the course of this report, and has already been officially stated to the legislature, that it may do so at little more than half that charge.

The charge of two cents per ton per mile had been previously established as the fixed rate for the transportation of coal, without regard to time, distance or quantity; and the object of the canal company, in proposing the arrangement, was to induce this company to provide the necessary sidelings at Dam No. 6, and engage in the transportation, in connection with the canal, at the same rates.

If in the opinion of the canal company a less charge than two cents per ton per mile would have been necessary for the success of the arrangement it desired to make, it would have been practicable to have made an arrangement for that purpose; and if the rail road company could have relied upon an amount of trade equal to 50,000 tons per annum, it would have been willing to increase its machinery for that purpose, according to the growth and requirements of the coal trade.

The canal company proposed the charge of two cents as a rate mutually for the interest of both companies; and, in the opinion of those proposing it, as low as would be necessary to insure the transportation of coal upon the rail road to Dam No. 6, in sufficient quantities "to meet the growing demand in the market for that article."

Representing the toll on coal by the canal from Dam No. 6 to Georgetown, at half a cent per ton per mile, and the freight at the same, the president of the canal company believed that two cents per ton per mile on the rail road, even during a period of two years, "would enable the dealer to sell his coal in market at a profit sufficient to encourage the trade."

The means of transportation at these rates being insured, the extent of the demand would, nevertheless, in the opinion of the canal company, be uncertain, and the trade necessarily in some degree, an experiment, only to be determined by circumstances: though from assurances received from parties concerned in the coal fields, the quantity of iron and coal which one company alone would require to be transported the first year, it was thought would amount from fifty

to eighty thousand tons: that "a regular supply being furnished the principal steam boat company on the Hudson would consume about $500,000 worth annually, and that the consumption of the city of New York alone, would not be less than two hundred thousand tons per annum."

The canal company rightly judged that, if the coal fields of the Allegheny could be developed to such an extent, or even in a far less degree, the arrangement proposed would be mutually advantageous to both companies; and although this company was in no degree misled by these expectations, and were satisfied that many years would elapse before they could be realised even to a moderate extent, they were unwilling to reject an appeal thus made, and decline a business upon terms which, under any circumstances, and without reference either to amount or regularity, would yield a good profit.

The result however has proved that the canal company either greatly overrated the ability of the coal dealers, or the extent of the demand; since from that time to the 30th ultimo inclusive, notwithstanding this company provided a sideling at Dam No. 6, costing two thousand dollars,—less than four thousand tons of coal, and not any iron, has been offered for transportation in the manner contemplated by the arrangement. It may be added that, during the same period, no evidence was afforded that any capital had been obtained for working the mines, or any arrangements made towards the preparation of the necessary transportation of coal from thence to Cumberland; except in the instance of a single company; and by that, arrangements have been made with the rail road company for the transportation annually, for the period of five years, of fifty thousand tons of iron, coal and fire brick, from the mines to Baltimore.

Under such circumstances the Board deemed it inexpedient to make any addition to their existing power, or to adopt the improved machinery by which it is now certain the cost of transportation, may be, and in fact has been reduced to little more than half the charge assented to between Cumberland and Dam No. 6.

Until the Board could be certain of completing the rail road to Cumberland, there was little occasion to investigate its capacity for the transportation of coal; and indeed from the character of the machinery generally in use upon rail roads before that period, a general impression prevailed that for heavy articles, the value of which in market bore so small a proportion to their weight as to admit of very low charges, for long distances, these roads would not be a desirable mode of transportation.

For, although a like weight of flour and coal, other things being equal, might be transported at the same charge, it is nevertheless obvious that in consequence of the greater value of a ton of flour than an equal quantity of coals, a rate of charge which might well be paid by the former, would be altogether too high for the latter.

The improvements in railway machinery, however, have been gradually, but constantly, progressive; and in the spring of 1842, when it

was certain that in the course of the year the rail road would be completed to Cumberland; anticipating that, from that time they might be required to some extent to engage in the transportation of coal, at least for the consumption of Baltimore, the Board directed a thorough investigation by Mr. Knight, chief engineer, into the power of their machinery for the purpose of transportation generally, including that of coals and iron.

For the better understanding of what follows, it may be proper here to state that, the chief, if not the only object for which railways were first introduced, was the transit of heavy merchandise at a moderate rate of speed; and, for many years after their introduction, were exclusively used for the purposes of the great Colliery railways in England. As late as the year 1821, the first of the modern or travelling class was authorised in England: and in 1826 the railway between Manchester and Liverpool was chartered. Down to that time the transportation of heavy merchandise was the chief object it professed; and even then it was not determined to employ locomotive power. As late as the year 1829 when it became necessary to determine the nature of the power to be employed, the utmost capacity hoped to be attained in the locomotive was an Engine weighing not more than six tons, capable of drawing on a level and straight road, at ten miles an hour, three times its own weight, and to cost less than three thousand dollars. Although at least one eminent Engineer in England ventured, at that time, to hazard the speculation that at some future day an improved Engine might be constructed with capacity to maintain a speed of twelve, sixteen, eighteen or twenty miles an hour, it was treated in the official reports of commissioners selected to determine the nature of the power, as so extravagant as to prejudice the scheme of employing the use of locomotive power.

Long before the spring of 1842, this speculation had been more than realized.

The genius of American artists also had outstripped the improvements in England; and this company was actually employing upon their road Engines weighing fourteen tons, running on eight wheels, of which four were drivers; and capable of drawing on a level and straight road five hundred tons, and over grades of eighty-two and a half feet, with curves of one thousand feet radius, not less than eighty tons at a speed of eight miles an hour.

The investigation made by Mr. Knight, under the direction of the Board, contemplated the use of this class of Engines. So far as it related to coals, it also contemplated a regular trade, which, in his estimate, he charged with a full share of the expenses of maintenance of way, and interest of six per cent. upon the capital. Including these elements, he estimated the cost of the transportation of coals from Cumberland to Baltimore at one cent and a half per ton per mile. Comprehending the same elements, the cost would have been less from Cumberland to Dam No. 6.

The report of Mr. Knight was submitted and published in March, 1842; and as early as that period, Ross Winans, an ingenious mechanic of Baltimore, had not only contrived a far more important improvement in the locomotive, but had actually constructed an Engine weighing twenty tons, running on eight wheels, all of which are drivers,—and with the weight equally distributed over the whole, so as that the bearing upon any one is not greater than upon that of the ordinary machine of ten tons weight,—capable of hauling over a level and straight road, *eleven hundred tons;* and over grades of eighty-two and a half feet to the mile, with curvatures of one thousand feet radius, about *one hundred and seventy tons*, at a speed of eight miles per hour.

With a knowledge of the results of Mr. Knight's investigation and of the further improvements and advantages in railway machinery, it was impossible the Board should doubt their ability to engage in the transportation of coals, at rates not only profitable, but sufficiently low, according to any rate of charges then known, to exclude apprehension of rivalry from other quarters. In this sense only are the observations of the Board upon this part of the subject, in their second reply to the House of Delegates, when confined to their context, to be appropriately taken.

The capacity of the railway for the transportation of coals was accordingly announced in their annual report of October 1842; and it was at the same time assumed that, when the road should be completed to Cumberland, and thence to the mines, the demand in the market of Baltimore, and other parts of the Union, might, in a short time, require the transportation of one hundred thousand tons of coal annually.

The Board was satisfied that without suitable conveyances from the mines to Cumberland, neither the coal nor iron could be advantageously sent to market from Cumberland, by any channel whatever; and, in the meantime, they deemed it inexpedient to make any preparations to engage in the business. They considered it not less apparent that even after such conveyances should be provided, the trade in coals, would be regulated by the extent of a demand, in a great degree dependent upon the price at which the article could be afforded.

Neither point was free from embarrasment, and the interest of the stockholders required that the subject should be invesitgated with great care. The grounds upon which a just determination could be made were in some degree speculative. So far as any positive data could be obtained, the consumption of bituminous coal had been gradually and regularly diminishing, and that of the anthracite increasing in a much larger proportion, and, within some years past, with great rapidity. The latter had been advantageously adapted to the manufacture of iron: more extensively to the use of steamboats, locomotive engines, to the purposes of manufactures generally, and for all domestic uses. The consumption of this article had been gradually extending throughout most parts of the Union. From the facilities of delivering it in the market by the Delaware and Hudson work, the Reading Rail

Road and other improvements in Pennsylvania, the price had been gradually diminishing, and the low price at which it was ordinarily selling in the markets of Philadelphia and New York, made it quite plain that the existing demand for coals, for most purposes throughout the country, was fully supplied by it.

It was, therefore, obvious that the introduction of the Cumberland coal, in any considerable quantity, could only be effected by superseding, to nearly an equal extent, the use of the anthracite; and from the preference so long given to the latter, and the adaptation of machinery of all kinds to its use, they believed the degree in which this might be effected for many years at least, exceedingly doubtful; too doubtful, in their opinion, to warrant a large expenditure of capital in preparations for the trade. It was desired rather that the extent of the demand should be previously tested by actual experiment.

If any reliance could be placed upon the estimates of the cost of transportation upon canals by the improved Ericsson propellers, it was evident that, with suitable roads from the mines to Cumberland, and the use of the rail road to Dam No. 6, even at the rate of two cents per ton per mile, the experiment might be made with nearly the same advantage as when that work should be completed to Cumberland.

In that case, the charge for transportation upon forty-five miles of rail road, at two cents per ton per mile would amount to ninety cents: the tolls on one hundred and thirty-four and a third miles of canal at half a cent per ton per mile for the cargo, and two cents per mile for the boat, (assuming the average cargo of boats to be eighty tons) would be seventy-four cents: and if to this should be added thirty-three and a half cents for transportation on one hundred and thirty-four and a half miles of canal, at the rate of forty-six cents for one hundred and eighty-four and a half miles, and thirty-five cents for contingencies and transhipment at Georgetown, making together sixty-eight and a half cents, the entire cost of transportation by this mode, of a ton of coal from Cumberland to Georgetown, including expense of putting it on board a vessel at that place, would not exceed two dollars thirty-two and a half cents.

If the charge upon the rail road should be placed at one and a third cent per ton per mile, as it might be, the entire cost of coals, according to the assumed cost of the Ericsson propellers, from Cumberland to Georgetown, would be only two dollars two and an half cents per ton.

Without meaning to vouch for the results expected from the application of the Ericsson propellers, no reason was perceived why they might not be used with the same advantage, below as above Dam No. 6; and that if a demand for the Cumberland coal could, under any circumstances, be created to any extent, it might not be effected as well in the manner here mentioned, as by any other means.

It appeared to be the plain duty of the Board, therefore, to await such developments; and, to engage in the business when it should be demanded by the public, and be profitable to the company.

In the month of January 1844, and previously to the order of the House of Delegates of the 25th of that month, the Board were officially informed by the president of the Maryland and New York Iron and Coal Company, that having procured the funds requisite to construct a railway from the mines to Cumberland, he was anxious to proceed with the work; if the charge for the transportation of iron and coal from the mines to Baltimore, could be fixed at such rate as would warrant him in adopting the Baltimore and Ohio Rail Road for the transportation of his products.

The same officer subsequently proposed a contract for that purpose, to continue for five years after the completion of his road; to furnish a freight of coal, pig iron, bar iron, fire brick and castings and other manufactures of iron, (the principal freight being coal) in quantities of one hundred and seventy-five tons per day, for three hundred days in the year. The construction of the railway from the mines to Cumberland, was represented as dependent upon the acceptance of the proposition by the rail road company, upon terms which would be entirely satisfactory.

After the necessary investigation of the subject, the Board agreed to furnish cars and moving power, and to transport the freight proposed from the mines to a suitable shipping point at Baltimore, at the rate of one cent and one-third of a cent per ton per mile, a distance of one hundred and eighty-eight miles, with an addition of ten cents per ton for transportation through the streets of Baltimore; the cars to be loaded and unloaded at the expense of the Maryland and New York Company, and when iron and other articles should be transported in house cars, there should be added for such articles one cent per ton per mile for one hundred and eighty-eight miles.

These terms were accepted by the Maryland and New York Company, who proceeded to the construction of the railway, and to make the other requisite preparations to carry it into effect.

This company also is preparing the proper number of the heavy Engines, and coal cars; and both parties have mutually agreed that the operations under the contract shall commence on the first day of November next.

The estimates of cost upon which the Board felt warranted to enter, into this contract, will be found in the appendix to this report.

In the course of a short time, therefore, any speculation which may in any quarter be indulged of the ability of either party to comply with its engagements, will be at an end: and the adaptation of the rail road to the transportation of coals and iron at the above rates will be subjected to the test of actual experience.

On the 25th of January, and February, 1844, respectively, during the negotiations with the Maryland and New York Iron and Coal Company, and without the prompting or knowledge of the Board, two orders passed the House of Delegates, requiring the President and Directors to report to the House the lowest rate of toll per ton per mile, at which the company would agree to transport coal, iron, &c., from

Cumberland to Dam No. 6, under a permanent arrangement; and also to report upon various other points comprehended in the orders.

These orders and the several replies of the Board to the points embraced in them, dated the first and fifteenth of February, will be found in the appendix to this report; and will afford, it is believed, a satisfactory view of the whole subject.

If by the inquiries contained in the orders, the legislature designed, as it may be presumed they did, to invite or lead the rail road company to lend its assistance to the encouragement and development of the coal trade, the terms upon which the Board expressed their willingness to do so must be conceded, in any view of the subject, to be just and reasonable.

The rates of charge, stated in the replies, were little more than one half of those that had been previously proposed as quite low enough to develope the trade; and, sufficiently low, in the mode indicated in this report, to enable the dealer to put his coal on board of a vessel at Georgetown, and thence at New York at less cost, it was supposed, than coal from other parts of the Union had been previously delivered at the same city.

Indeed, the rate of charge assented to by the rail road company appeared to be so much lower than had been anticipated, and so much below what had been previously deemed sufficient, as to beget an apprehension of the ability of the company to engage in the trade at such rates.

The other terms presented in the replies of the Board cannot be deemed less reasonable. They required only, previous to expending the capital of the stockholders in making preparations for the trade, that communications absolutely indispensable to the transportation of coal to market should be made from the mines to Cumberland; that capital should be provided to work the mines, and that responsible parties should engage to furnish coal in proper quantities, to employ the machinery necessary for its transportation.

These conditions were considered as the appropriate evidence of the existence of a demand to an extent, short of which, no means of transportation would be needed.

The coal and iron of the Allegheny region is not to be developed by a demand dependent upon a precarious and occasional supply. On the contrary, it can only be effected by steady operations conducted with such capital as will be adequate to maintain a regular trade; and if those concerned in such operations have no confidence in a demand equal to the sale of fifty thousand tons per annum, there can be little inducement for the preparation of extensive conveyances to market. This Board at least was unwilling to expend one or two hundred thousand dollars in machinery, not adapted to other purposes, for a branch of transportation dependent upon casualties by which it might be only occasionally employed; and unless they would have been content to rely upon vague expectation, and a precarious trade, it is difficult to imagine any conditions more reasonable than those prescribed.

That the estimates of the cost of transportation are sufficiently liberal, there need be no reasonable doubt.

Founded upon the actual experience of the company in their other operations, they are little liable to error; and are sustained not only by the Engineers by whom they are prepared, but by Mr. Knight by whom they have been carefully examined, and compared with the elements of his former report.

That they may be fairly understood, these estimates must be considered in reference to the particular trade to which only they are applicable.

They suppose a distinct branch of transportation separate from, and wholly independent of the general trade and traffic of the road; and therefore not properly chargeable with the existing and fixed expenses incident to the general miscellaneous business; which would be the same without the trade in coals.

They also include only that degree of wear and tear due to this particular operation.

The estimates suppose also: First—*the use of the heavy improved engines*, possessing double the capacity of those assumed in the former report of Mr. Knight. Second—*a cheaper and lighter description of cars*, by which the useful load in proportion to the weight of the car is considerably increased; and Third—a larger amount, and greater regularity in the trade.

Conforming the data embraced in the report of Mr. Knight of 1842 to these elements, the present estimates will be shewn to be abundantly sufficient. They have also received the approbation of respectable scientific journals throughout the Union, and are found to be even more liberal than those comprehending the actual cost of similar transportation upon other roads in the United States.

All estimates of the actual cost of transportation upon English railways, of which we have any accurate knowledge in detail, are of a date so remote as to embrace only the earlier description of locomotive power; possessing from a third to a fifth of the capacity of that proposed to be employed upon the Baltimore and Ohio Rail Road in the transportation of coals: and contemplate the use of a description of cars weighing one ton and three-tenths, and with a capacity to carry two tons and six-tenths of coal.

Conforming the actual cost, according to the experience in England, and the description of machinery there employed, to the improved engines and cars to be used by this company, it will be found to correspond with the present estimates, and to verify them in every particular. By the most recent authority of the best approved authors of England, it has been confidently stated that coals may be transported upon English railways at a *half penny per ton per mile:* which is not only about the same as the cost assumed in the estimates of this company, but, when taken in connection with the more expensive operations of English railways, would warrant even a less estimate in the United States, than that now given.

The Board have it in their power to state also, that, subsequent to the date of the estimates submitted to the House of Delegates, a further improvement has been made in the construction of the coal cars, by which a greater reduction in the cost of transportation is effected.

The estimates submitted to the House of Delegates adopted a car of a wood frame, costing three hundred and eighty dollars, weighing three tons and carrying seven tons of coal. In the improved car, subsequently invented and now adopted, sheet iron, in a cylindrical form, is substituted for wood, costing three hundred and forty dollars, weighing two and a half tons and carrying seven tons of coal.

In the appendix to this report the Board subjoin a revised estimate of cost founded upon this improvement, and including interest of six per cent. upon the capital employed in the machinery; by which it satisfactorily appears that coal may be transported from the mines to Dam No. 6, at a cost less than one cent per ton per mile; and to Baltimore at a cost of one cent and half a mill per ton per mile.

It is thus shewn that the statement of the capacity of the rail road, submitted by the Board in their reply to the Legislature of the 15th of February 1844, is in all respects confirmed, and may be fully relied upon.

The Board desire again to repeat that whether it may be expedient to engage to any extent in the transportation of coal at the rates now estimated, must depend upon contingencies not at present to be foreseen. They have at no time particularly desired to engage in it; and would always regard it as quite subordinate to the paramount duty of pressing forward their work to the Ohio river; leaving the general trade in coals and iron from the Allegheny region, to others more ambitious of monopolising it. So long, however, as the rail road may be arrested at Cumberland, the transportation of these articles must unavoidably form a natural and legitimate object of attention; and during this time, if those concerned in supplying the demand, looking to the advantages of speed and uniformity of working at all seasons, find it advantageous to resort to the rail road, neither the interest of the stockholders nor a due regard to the trade of Baltimore would permit the Board to decline the business.

Second.—*Of the Washington Road.*

The affairs of the Washington road are shewn by the statements D and E.

These statements shew an improvement not less gratifying in the trade and travel and in the operations of the road, and also in the expenses of working the road in proportion to the business, than has been already stated in those of the Main Stem.

The net earnings for the year ending on the 30th ultimo, are $104,519 33, being upwards of six per cent.; which added to the surplus of the preceding year amounting to $6,275 86 make an aggregate of $110,795 19, or six and five-eighths per cent. upon the capital of the road. Of this sum the Board have decided to divide among

the stockholders six dollars per share, payable on and after the first day of November next; reserving a surplus of $11,795 19.

The Board deem it proper on this occasion to announce their purpose in future of dividing among the stockholders the net earnings of this road semi-annually, without reference to the operations of the Main Stem.

The sum paid to the *State* for the six months from the 1st of July 1843 to the first of January 1844, being one-fifth of the gross receipts from passengers amounted to $18,189 19, and from the first of January 1844 to the first of July 1844 to$22,851 10 making together $41,040 29.

It will be observed that if to this sum of $41,040 29 be added the sum of $33,000, the amount of dividend to be received by the State from the Washington road, $12,500, the dividend from the main stem, and $1,269 60 regularly remitted to London as the interest on £5,250, the amount of the sterling bonds sold on account of the State's subscription of $3,000,000, it will be seen, that during the year, the State has received the aggregate sum of $86,809 89 being nearly *nine* per cent. upon the actual investment in both roads.

The railway, the passenger and burthen cars and depots and water stations are in good condition; and a comparative statement of the operations upon the road during the past and preceding year, is hereto appended, marked F.

In the last annual report the Board adverted to the rivalry between the inland route south of Washington, by the rail roads through Richmond and Petersburg, of which the Washington Rail Road forms an important connection, and the bay line from Baltimore to Norfolk, and thence by the Portsmouth and Roanoke Rail Road: and they stated the desire of the parties interested in the Southern rail roads, that this company should co-operate with them in such reduction in the fare upon the Washington road as might be necessary to bring a greater amount of travel to the inland route.

The Board also acquainted the stockholders with the provisions of their charter, forbidding any reduction in the charge upon the Washington road without the consent of the legislature, or, in the recess, of the Governor of the State: and which also prevents the rail road company from applying to the legislature for such consent, without conferring upon that body a dangerous control over the chartered privileges of the company.

During the last session an application was made to the legislature by other parties to consent to a reduction in the charge; and the rail road company itself was desirous that the discretion vested in the Governor to be exercised by him in proper contingencies in the recess, should also be extended to the Board of Directors, in order that it might be exercised when a proper occasion should arise with a better knowledge of the circumstances than the Governor in most cases could possess.

It is very obvious that at the time of granting the charter, although it established for general purposes a maximum and minimum charge, the legislature itself foresaw that contingencies might arise in which it would be expedient and necessary, temporarily at least, to reduce the charge; and accordingly on this ground they authorized the Governor to act in the recess. Experience has shewn that the necessity thus contemplated was not overrated by the legislature; but it has also shewn that the discretion they provided for the emergency, has proved altogether inadequate; and under these circumstances it appeared to the Board, not less for the interest of the State than for the public and the stockholders, that a similar discretion should be vested in the Board, who with a familiar knowledge of the subject, might act in this respect under the same responsibility as that under which all their other duties are performed.

By an existing law, the Board have the unlimited power to reduce the charge upon all passengers going and returning between the two cities of Baltimore and Washington, or between any intermediate points on the same day: and no objection was preceived to such enlargement of the power as might be found to increase the travel upon the road, and to augment the revenue of the company.

It pleased the legislature, however, not only to withold such discretion from the Board of Directors, but to adjourn without giving any consent upon their own part to a reduction in the charge; and it is the opinion of the Board that in consequence of this failure on the part of the legislature, many passengers between Baltimore and Washington, and Baltimore and points south of Washington, and also a considerable number who were desirous of attending public celebrations of various kinds, have been prevented from using the rail road, to the serious injury of the interest of the State and of the company.

After the adjournment of the legislature, measures were taken by parties more immediately interested in the success of some of the Southern Rail Road Companies, to establish an opposition between Baltimore and Washington, which has already diverted a considerable number of passengers from the Washington road.

On the 15th of June last, two lines of stages commenced running for the conveyance of passengers between Baltimore and Washington and intermediate places. On the 25th of August, another line was added, and since that day three lines have been running in each direction daily, by which passengers are conveyed from one city to the other, and taken up and set down at any place in either, at the charge of one dollar and fifty cents each.

By the annual report of the *Richmond, Fredericksburg and Potomac Rail Road Company*, dated 27th May last, it would appear that these lines have been established under the auspices of that company.

In that report it is stated:

"*Large as this increase is, the Board of Directors have no doubt it would have been materially larger, but for the high charges on the South-*

ern travel, imposed by the State of Maryland, and the Baltimore and Ohio Rail Road Company on the Baltimore and Washington Rail Road.

"*The excessive rate charged on the through travel on this work, has tended to retain on the bay, and to throw into coasting vessels, or divert over the Baltimore and Ohio Rail Road to the Ohio River, a considerable amount of travel which would otherwise have been secured to the line of rail-road and steam-boat communication through Virginia.*

"*The presidents of the Virginia rail road companies having for years remonstrated with the Directors of the Baltimore and Ohio Rail Road Company, and lately appealed to the Governor and Legislature of Maryland unsuccessfully, on the unfairness of exacting an undue proportion of the charge which could judiciously be made on through passengers, the attention of the Board of Directors has lately been directed to other means of preventing for the future the injury which has hitherto resulted to them from this cause, and they are sanguine, that by means of an efficient line of stages, which will be placed about the 15th proximo, on the Baltimore and Washington Turnpike, and which in connection with the rail road and steam boat companies will convey passengers between Baltimore and Richmond, and points south of Richmond, at much lower rates than heretofore, they will be able to recover a large portion of the travel which has hitherto been diverted from their route by the charge on the Baltimore and Washington Rail Road.*

"*Should their expectations in this respect be realized they will be enabled to protect themselves against the competition of other routes, at the same time that they will prevent the reduction in their charge, (which will be confined to passengers taking the stage line,) from benefitting the Baltimore and Washington Rail Road, and thereby tending to keep up the excessive charge which has hitherto been levied on through travel on that work.*

"*Should the legislature of Virginia co-operate, as the Board of Directors can scarcely doubt they will, by refusing a right of way, or any other privileges to the Baltimore and Ohio Rail Road Company, until they shall have redressed the grievance of which the State of Virginia, and the Virginia rail-road companies have so much reason to complain—the Board of Directors entertain no doubt it will be ere long corrected.*"

It is understood from other sources, although not official, that the Richmond, Fredericksburg and Potomac Rail Road Company, has contracted to pay the stage proprietors two dollars and fifty cents upon each through passenger carried by the stages between Washington and Baltimore, in either direction, in connection with the lines south of Washington; and has also stipulated to pay the stage proprietors five thousand dollars, if the stages are withdrawn from the route at the company's instance.

From these documents it is obvious that the stages have been established in competition with the rail road, for the avowed purpose of coercing, not the rail road company, for it has no power to act in the premises, but, the authorities of Maryland to engage in a rivalry between different works in another State; in behalf of enterprises comparatively of recent origin, and undertaken with a full knowledge of

the declared policy of the State, and of the positive provisions of the law which it is now sought to change.

It is not to be denied that the Washington road is a Baltimore enterprise, designed to connect that city with the metropolis of the Union, and to be supported by the travel to the seat of the Federal Government from the north, east and west, and from Maryland and her capital.

As a thoroughfare of Southern travel, at the date of the charter, the work was scarcely thought of, for at that time none of the present Virginia railways, forming its Southern extension, were projected: and at this day, nearly fourteen years after the origin of the work, the local or Washington travel is the primary, and the through or Southern travel the secondary, in the most ample sense of the terms.

It is evident from the report already quoted, that it is no part of the object of the Southern companies to reduce the charge upon the Washington rail road, in favor of the public generally: on the contrary, they expressly propose that the reduction should be made in favor of "through passengers" only, or those travelling in connection with the Southern lines; and that, this object being attained, they would be content with even a higher charge upon passengers travelling between Washington and Baltimore or intermediate points: a system which, it is understood, the Fredericksburg, Richmond and Potomac Company has adopted upon its own road.

If the terms of the contract, already referred to, be correctly reported, in the prosecution of their designs and as indispensable to their success, "the Richmond, Fredericksburg and Potomac Company" does not in fact derive any greater proportion of the charge for passengers passing over their line, than if conveyed by the rail road, at the established charge; but, on the contrary, consents to sacrifice, or give to the owners of the stages a bonus of one dollar upon each passenger carried in the stages, in connection with the Southern lines; and also to incur a penalty of five thousand dollars, whenever it may determine to discontinue the compulsory means at present employed.

Independently of this sacrifice, it may well be expected that the Southern company will ultimately suffer greater injury from these proceedings, than can now be foreseen.

It is not unreasonable to suppose that the substitution, in connection with its route of forty miles of stages, instead of an easy and comfortable rail road, will increase the advantages already complained of in favor of the bay rival: and the consequences most to be apprehended from this novel scheme will be the diversion of a greater amount of travel from the inland to the bay route, and of the local travel between the cities of Washington and Baltimore from the rail road to the stages; such in fact, it is believed, is the result up to this time.

It is obvious, however, that whether the passengers be diverted to the bay line, or to the stages, the injurious effect upon the business of the Washington Rail Road, will be the same.

The number of passengers conveyed by the lines of stages the entire distance between Baltimore and Washington in both directions, from the 15th of June to the 30th of September inclusive, was 3419, and in addition 889 passengers with through tickets to and from points south of Washington, making an aggregate of 4308.

During the same period the number of passengers transported in the trains from Baltimore to Washington at the established rates of the road was 5676, and from Washington to Baltimore 7486, and in addition 2742 passengers with through tickets to and from points south of Washington.

On the 8th of July last, pursuant to the authority conferred by the 7th section of the act of 1836, ch. 261, the Board of Directors of this Company reduced the charge to passengers on the rail road between the cities of Washington and Baltimore, going and returning the same day, to the sum of two dollars and fifty cents for the round trip ; and at the meeting on the 4th of September, they established the same rate of charge for similar travel from all intermediate points.

Within this period the number of passengers transported over the rail road with tickets for the round trip, at the reduced rates, has amounted to 2322.

It will be obvious however, from an examination of the facts and statements now communicated that, unless the stages be withdrawn altogether, a reduction of the rail road charges upon "through passengers" only, or those to and from points south of Washington, according to the views of the Southern Companies, would not prevent the competition, but that it would be necessary to reduce the charge at the same time upon all passengers, passing over the rail road.

By two several communications from the President of the Company, dated the 4th of September, and the 4th instant, the Governor was made acquainted in detail with all the facts herein stated, and to which, up to this time, no answer has been received.

By these communications the duty of the Board has been fully discharged ; since having no power of themselves to act further in the premises, the subject, in the recess of the legislature, can only be submitted to the Governor to be dealt with as he may deem most expedient.

THIRD.—*Of the further prosecution of the road to the Ohio River.*

The Board have to regret that the obstacles which, since 1842, have retarded the further extension of the rail road, continue to operate ; and have prevented any efficient progress in the actual prosecution of the work, beyond Cumberland, towards the Ohio river.

The Board continue to regard the extension of the road to that point, as the paramount object not only of their duty, but of the authorities of the state and city, and of those public spirited individuals by whom the enterprise was originally projected, and has been subsequently fostered. They cannot doubt that it will be so regarded by all who desire the ultimate prosperity of the city of Baltimore, the welfare

of the State at large, or the preservation of the large amount of capital which has already been expended.

Although, upon a just interpretation of the various acts constituting the Maryland charter, the right of the company to extend the road within this State, may still exist; and although it is quite feasable to extend it to the Ohio river, without using any more of the territory of this State, the extension could not be made without further permission from the State of Virginia, or that of Pennsylvania; and, even in Maryland some additional modifications of the charter might be desirable.

The original charter by *Pennsylvania*, as early as 1828, required as a condition of the grant, in case the rail road should not terminate on the Ohio river in the vicinity of Pittsburg, that the company should, at the same time, construct a lateral road so as to connect that city with the main line. The time allowed by this act expired in the year 1838, and although in the year 1839 the legislature renewed the grant, it did so upon new conditions in favor of the Pennsylvania trade, which, after full investigation, it was deemed inexpedient to accept.

Nor is it probable that these restrictions will be relaxed, unless the company would consent to abandon any other point on the Ohio river, and to terminate the road at the city of Pittsburg; *or at Brownsville on the Monongahela river.*

The charter by the State of Virginia, passed in 1827, granted, within that State, most of the privileges conferred by the Maryland law; and allowed the road to strike the Ohio river at any point not lower than the mouth of the Little Kenhawa: but, in a subsequent act, passed in April 1838, renewing the grant for a longer period, the company was required to construct the rail road to the city of *Wheeling*. This law also authorized a subscription by the State of *Virginia* to the stock of the company of one million of dollars, and a like sum by the city of *Wheeling*.

Until recently, the construction of the road from Cumberland to Wheeling, without using part of the territory of Pennsylvania, was deemed, by those supposed to be best acquainted with the subject, altogether impracticable; and it is not unreasonable to conclude that this impression, after the act of Virginia of 1838, limiting the termination of the road to Wheeling, had a material influence in imposing the onerous conditions of the Pennsylvania law, passed in the following year.

The act of the State of Virginia of April 1838, also contained a limitation in point of time, and contemplated the completion of the road on or before the fourth of July 1843.

The stockholders are already acquainted with the obstacles arising out of the condition of the money concerns of the country, and the consequent derangement in business of all kinds, which rendered it absolutely impossible to finish the road, at least without numerous sacrifices, within the period mentioned in the Virginia law.

It has therefore become necessary, prior to any resumption of the work, to obtain from the State of Virginia some further time, within which the Board may be enabled to use the privileges granted by the charter of 1827.

Under these circumstances, the Board directed their attention to the advantage of a more southern termination of the road, than that contemplated by the Virginia act of 1838.

Accordingly, in the summer of 1843, they directed a particular reconnoisance, by the chief engineer, of the country between the Potomac and Ohio rivers, at various points upon the latter between Wheeling and Parkersburg, in order to ascertain the facilities of extending the rail road through Maryland and Virginia, and through Virginia alone, without touching Pennsylvania: and also to ascertain the most practicable and advantageous connections with the trade of the State of Ohio, and, through it, of the Western States in general.

The general result of the reconnoisance has satisfactorily shewn the practicability of constructing the rail road through the States of Maryland and Virginia, without passing into Pennsylvania, or through the State of Virginia alone, (avoiding both Pennsylvania and Maryland,) by various advantageous routes from several points on the Potomac at and west of the South Branch, to sundry points upon the Ohio river, between Wheeling and the mouth of the Little Kenhawa.

All the routes embraced by this reconnoisance, through Maryland and Virginia have three principal terminating points upon the Ohio river, namely: the mouth of Fishing creek, the mouth of Middle Island creek, and the mouth of Little Kenhawa at Parkersburg

By extending the road along the Ohio river, any other intermediate point within the above range, such as *Sistersville* and *Marietta*, might, if desirable, be made the terminus.

These routes might commence either at Cumberland, or at the crossing of the North Branch of the Potomac, six miles below.

If at Cumberland, they would proceed up the North Branch; and if at the North Branch, crossing, six miles east of Cumberland, they would pass, by a tunnel, through the Knobley mountain, and, falling again into the valley of the North Branch, re-unite with the former routes, eight miles above Cumberland,—shortening the distance eight and a half miles; and thence continue up the North Branch, Savage river and Crab Tree creek to the summit at the Youghiogheny glades. At this summit two main routes diverge: one leading to the mouth of Fishing or Middle Island creeks, and the other to Parkersburg at the mouth of the Little Kenhawa. Of these there are many branches, which by their connections and combinations will produce a variety of routes, of which the most important may be stated as follows, viz:

First.—A route from Cumberland via Fairmont to the mouth of Fishing creek, forty miles below Wheeling.

Second.—A route, via Bridgeport to the mouth of Middle Island creek, sixty-six miles below Wheeling.

Third.—A route to the last named point, via Clarksburg.

Fourth.—A route to the last named point, via Shinstown.

Fifth.—A route to Parkersburg at the mouth of the Little Kenhawa, ninety-six miles below Wheeling, by way of either Weston or Milford.

These several routes would pass about sixty miles through Maryland, and the remainder of the distance, varying from one hundred and twenty-six and a quarter to one hundred and sixty-three miles, through the State of Virginia: If they should commence six miles below Cumberland, and pass through the Knobley Mountain, the distance from Baltimore to either of the termini on the Ohio river would be eight miles shorter than by the route through Cumberland.

The mineral and agricultural resources of that part of the State of Maryland which would be penetrated by the rail road, constructed upon these routes, are of considerable value, and, if developed, as they would be by this improvement, would become of great importance to the State.

The reconnoisance, however, shews several routes quite feasible through Virginia alone, avoiding altogether both Pennsylvania and the State of Maryland.

Of these, the shortest would commence at the Crossing, six miles below Cumberland, and proceeding by the valley of the North Branch pass round Fairfax's stone, at its head spring; and would be little greater in length than that to Parkersburg through part of both States by Milford and Weston. The other routes confined exclusively to the State of Virginia, would proceed either up the South Branch of the Potomac, crossing the Allegheny near the ridge dividing Cheat and Greenbriar rivers, and descending upon the head springs of the Little Kenhawa; or up Patterson's creek, or up New creek to their heads, crossing the Allegheny and descending by Red creek, or Blackwater, to Cheat river, fall into the route to Parkersburg by Weston or Milford as already described.

The distances of these latter routes cannot be stated with any approach to accuracy, though it may be stated that they would all be longer than that by Fairfax's stone.

During the last summer, and after the Board had been induced to direct a further examination of the country, embraced by the previous reconnoisance, they were informed that a recent examination by Jonathan Knight, Esquire, under the employment of the authorities of the city of Wheeling, had resulted in the discovery of another route terminating at that city; and, by passing round the south-west corner of Pennsylvania, avoiding the use of any part of that State. At the instance of the public authorities of Wheeling, the Chief Engineer was directed to comprehend this route in his further examinations, which has accordingly been done.

The route thus presented is intended to diverge from the line to Fishing creek, previously examined, and herein before described, at a point upon Buffalo creek, and to cross the hilly country between the head of the latter stream and Wheeling creek.

It would elongate the distance to the Ohio river (compared with that to the mouth of Fishing creek) about nineteen miles, and encounter very high grades and expensive excavations. A satisfactory comparison of this route, with that to Fishing creek, or with the more Southern routes, cannot be made with proper justice to either, without instrumental surveys, and detailed estimates founded thereon.

Of the facilities of connection, from the terminus of each of the foregoing routes, with the trade of the State of Ohio, and of the States west of it, extensive examinations were made, comprehending several different lines: one from the mouth of Fishing creek, by Sunfish creek and Will's creek and Salt creek, to the Muskingum near Zanesville.

For the extension of the route beyond Zanesville, northwardly towards the lakes and westwardly through Columbus, the capitol of the State, towards Indiana, Illinois and Missouri, the country affords great facilities.

Another line has been examined from Sistersville, nine miles below Fishing creek, by the Little Muskingum in the same direction: another from Marietta, by the Great Muskingum, toward Zanesville; another from Wheeling, by Indian Wheeling creek and Stillwater and Will's creeks and Dunlap's creek, and the Tuscarawas river, towards Coshocton, thirty miles north of Zanesville; and another from Parkersburg, through Athens and Chillicothe to Cincinnati.

Upon each of these routes favorable connections with the trade of Ohio may be established, and the extensive and contemplated public works of that State be rendered tributary to the Baltimore and Ohio Rail Road. It is not practicable however from this general reconnoissance, and without a more particular examination into all the facts pertaining to the subject, satisfactorily to pronounce which of the connections would be the most advantageous.

In the observations already made, nothing more is intended than to assert the feasibility of various routes by which, with adequate means, the rail road may be extended to the Ohio river.

The particular line or terminus to which ultimately a preference should be given, can only be determined by a thorough investigation into the respective advantages of all, and a careful examination, after a minute instrumental survey, of the merits of each. By such survey only will it be possible satisfactorily to estimate the cost, or to decide upon the positive and relative advantages of either, and until the requisite authority be granted to adopt the route which, after such investigation, should prove to be the best, it would be unwise in the company to attempt, and unreasonable in others to require, so large an expenditure as would be necessary for that purpose.

In the prosecution of a work involving interests of such magnitude; by which not only the capital of those engaged in it, but the commerce and general prosperity of the States through which it may pass, and of others stretching throughout the Valley of the Mississippi, must be extensively affected, any attempt to confine it to a particular route requiring an unnecessary expenditure of capital, or an oppres-

sive cost in its working, would not merely cramp its resources and be unjust to the general interests dependent upon its success, but, in all probability, would defeat the enterprise altogether.

The interest of those engaged in such an undertaking is the best guarantee that nothing would be finally determined without the maturest investigation: and that no route which did not promise the utmost accommodation to the greatest amount of business of the largest extent of country, would be adopted. To this test, those whose preference may be confined to particular routes may safely, and ought reasonably to submit their pretensions.

The road from Baltimore to Harper's Ferry was constructed at an expense of $4,000,000 in a full reliance upon the privileges granted by the charter of 1827: and was subsequently extended, at an expenditure of $3,500,000 through the State of Virginia, in an earnest desire to fulfil the expectations of that State: but, at the same time, with an unwavering confidence, that, in the event of any unforseen embarrasments, the Board would receive the amplest accommodation consistent with the general scope and design of the charter.

They feel quite pursuaded that the circumstances already adverted to, are abundantly sufficient to justify the delay which has taken place, and to entitle them to claim the same latitude in the selection of the final route to the Ohio, that in the year 1827 was freely granted them.

They therefore, made application during the last winter, to the legislature of Virginia, asking that further time should be granted for the extension of the road through that State within the limits of the original charter, which allowed the company to strike the Ohio river at a point not lower than the mouth of the Little Kenhawa.

They regret to state that an application so meritorious, and, in any liberal view of the subject, so just and reasonable, encountered an opposition altogether unexpected: and that although, at an advanced period of the session, a bill was reported by the committee, to whom the application had been referred, granting the right of way between the desired limits, it was encumbered by the vote of a majority of the committee, with new and embarrassing conditions which it would be impossible, under any circumstances, or for any consideration, that this company should accept.

Subsequent to the final action of the committee, sufficient time was not afforded for such explanations and discussion as would have been calculated to obtain a juster decision from the body of the legislature; and it was, therefore, deemed advisable, without any definite action at that time, to renew the application under more favorable auspices.

It is the intention of the Board again to present their application at the approaching session of the Virginia legislature, and, as they believe, with better prospects of a more favorable reception.

A persevering and final refusal, by that justly renowned commonwealth, to permit the occupation of her territory for the construction of a great public work, already prosecuted for nearly two hundred miles

under her own sanction, in the success of which a numerous, enterprising portion of her own population is deeply and extensively interested, cannot be anticipated. The history of States in America, nor even of those in Europe, whose independent position might be expected to engender local jealousies and competition, affords no instance of a positive denial of such privilege to any great enterprise of modern times; and in the United States, where the bonds of our confederacy are so essentially dependent upon the easiest intercommunication between its various parts, and upon the generous courtesy of its several members towards each other, it is not to be expected that an example will now for the first time be given.

In neither of the charters authorising the construction of the work, can the time indicated for its completion be regarded as the essence, or material part of the grant. A similar provision is to be found in all charters of this description, as part of the ordinary formula; chiefly, if not entirely, intended to stimulate to proper diligence and energy.

It may be safely asserted that the instance is yet to occur, in any part of the Union, in which such limitation has been taken advantage of; where the delay proceeded from no improper negligence, and where further time would be required for the reasonable and judicious accomplishment of the objectsof the charter.

The limitation in point of time, in the charter of this company has in fact, been treated as unessential both by Virginia and Maryland.

At the date of the original grant, the limitation being in the Maryland charter, was by the general adoption, merely, of the words and terms of that act, made part of the law of Virginia: and this clause, with the others, may therefore be fairly pronounced to have been enacted in the spirit and design only in which it was recommended by Maryland.

It is already seen that Maryland, certainly, never intended the clause to form an essential part of the grant; and it cannot be supposed that while projecting a great enterprise, with no other purpose than, to connect her principal city with the western waters, she intended, if it should be temporarily delayed by unforeseen and unavoidable contingencies, occurring in its progress, finally to arrest it in an unfinished state; altogether to defeat the main object of the charter, and jeopard the large capital that might have been already expended. Under such circumstances, after the expenditure,—in compliance with the Virginia laws, of so large an amount of money upon an unfinished work, and the completion, at a cost of more than three millions and a half of dollars, of ninety miles of the road within the limits of that State, of which her own population are enjoying and must continue to enjoy the fullest advantage—the Board will not believe, without any fault on their part, upon an unessential point of time, when the accidental delay, by a judicious management of its resources, has rendered the final accomplishment of the work more sure, that the State can be induced either to revoke its former grant, or to burthen it with new conditions wholly extraneous to the subject and fatal to the enterprise!

If any thing were needed to add to the force of these considerations, it would be found in the vast advantages which, in its extension to the Ohio river, the work is destined to confer upon the commonwealth of Virginia.

Leaving, with a brief allusion, the deep interest which, on general grounds and as a member of the Southern community of States, that great commonwealth must have in the commerce and prosperity and power of a Southern city—occupying an important position at the head of the Chesapeake bay, and contending with the Northern States for a participation in the resources of our Western empire,—there are other advantages of more immediate concern which cannot fail to exert a powerful influence.

Stretching from the Atlantic waters, some three hundred miles through the territory of Virginia, and terminating at a point on the Ohio river, within that State, the Baltimore and Ohio Rail Road ought, in every sense, to be regarded as emphatically a Virginia improvement, and an essential part of her system of public works.

For the important range of the counties lying between Shenandoah and Potomac, and extending to the Little Kenhawa and the Ohio, it would become the easy and cheap outlet to the Atlantic market for most, if not all of their productions. It may indeed be said that, for all that portion of the State commonly designated as the north west counties, it is the only channel on which they can with any reasonable expectation rely for a communication with any valuable market.

No attempt need here be made to point out the natural fertility and advantages of this part of the commonwealth, or the want of those ordinary approaches to market which has hitherto cramped the energies of the population, and effectually prevented the developement of their natural resources.

Nothing that could be here said could render their condition more apparent, or add to the deep sense with which it is every where acknowlededg and lamented.

It is, however, due to the subject to state, what it is presumed will not be denied, that for the privations which all acknowledge, no more effectual remedy could be provided than the extension of the Baltimore and Ohio Rail Road through that portion of Virginia, to a suitable point on the Ohio river. By this means the agricultural, manufacturing and mechanical industry of a large and rapidly increasing population, would be immediately rendered active and profitable; the lands of not less than thirteen counties be more than double in value; a new impulse would be given to their agricultural and manufacturing labor, and all those resources now dormant, be speedily and successfully developed.

It is not too much to say, that by no other means can this intelligent and powerful portion of the State, be so effectually and permanently identified with their ancient commonwealth, and contribute their full proportion to its moral and political power.

These considerations are fully appreciated by the population of the north western counties: and the interest felt in that quarter in the prosecution of the work, is deep and universal. Not behind any portion of the State in active enterprise, or in enlightened patriotism, the leading men of that region feel that to deny them the facilities of such an access to market as is now tendered to them, mainly by the capital and enterprise of another State, would be not less inconsistent with the acknowledged wisdom and liberality of Virginia, than with their own just claims to its care and protection.

They are, therefore, acting with great unanimity to second the application of the rail road company, and to assert their own rights to the public support. A convention of delegates from eleven of the principal counties and consisting of eighty-six delegates, assembled at Clarksburg, in Harrison county on the fourth instant for the purpose, it is understood, of devising the best means of harmonizing local views, and of ensuring a proper consideration of the deep interest they all have in the extension of the road.

The convention embraced much of the intelligence and respectability of that important part of the state. Its deliberations were conducted with becoming zeal and dignity, and with great harmony and unanimity of sentiment in regard to the main purposes of the meeting. Sundry resolutions were passed declaring that the extension of the rail road through North Western Virginia would ensure the future prosperity of that district, and tend to promote the general interests of the commonwealth. They also adopted a memorial to the legislature declaring the enterprise to be, to all intents, a Virginia work; and asking for a law granting permission to the company to extend the road to some point on the Ohio, not farther south than the mouth of the Little Kenhawa river; and, also that the state by a subscription to the stock of the company, or by a temporary loan of her credit would afford such pecuniary aid as would be consistent with the ability of the state and the just claims of the north western counties. They moreover appointed a committee, instructed to prepare, publish and circulate, as soon as practicable after the adjournment of the convention, an address to the people of North Western Virginia, explaining the great advantages they would derive from the extension of the road.

The people of Ohio, also, are looking with no less solicitude to the prosecution of the road to the Ohio river. Its extension to Cumberland, and the facilities which, from that point, it affords to the travel and commerce of the west, have brought them to regard it as the natural highway to the Atlantic cities.

They do not deceive themselves in supposing, that it will become the shortest and cheapest throughfare from the Southern Vallies of the Ohio and Mississippi; and that its approach to the river will be but the prelude to more extensive tributaries stretching to the remote west. They are already making preparations to adopt it as an indispensable

link in their intercourse with the east; and to construct their own local works so as to complete the connection.

Several charters have already been granted by the legislature of Ohio for the purpose of making these connections, and there is every reason to believe that, in prosecuting them to completion, they will not be behind, if they are not in advance, of the extension of the rail road.

In the prosecution of such an enterprise, therefore, of a magnitude equal to any other that has been undertaken in this or any other country, and productive of consequences of such vast moment to all parts of the Union, it is impossible that the Board should falter in their purpose, or despair of final success.

It must not be disguised, however, that in their efforts to obtain the requisite authority from Virginia, and in their labors afterwards to extend the work, they need, and believe, deserve the countenance and support not only of the city of Baltimore, but of the authorities and people of this State.

It has been generally conceded that the subscription of $3,000,000 by the city, in the year 1836, for the extension of the road from Harper's Ferry to Cumberland, was made in consideration of an engagement by the State to provide a similar sum towards the completion of the work from the Ohio river. A like amount was, at the same time, subscribed for the completion of the Chesapeake and Ohio Canal, which, by the arrangement at that time adopted, was intended and expected by the authorities both of the State and the city, should be extended to Baltimore by a cross cut, for that purpose.

Although in this respect at least, the expectations of both have been signally disappointed, the city nevertheless has to the full extent complied with her part of the engagement. She has already advanced $3,000,000,—the amount of her subscription, by which the road has been finished to Cumberland,—and is annually paying nearly a moiety of the State tax requisite to provide the interest not only upon the $3,000,000 subscribed to the canal in 1836, but of the entire debt of the State.

The rail road company also, is at the same time, assessed at half a million of dollars; and, with the contribution in the shape of a tax from those employed in its service, paid to the State last year, besides its own interest, more than $2,300 for the same purposes.

It would appear, therefore, to be only equitable that the State authorities should liberally aid, to the full extent of her subscription, in extending the road to the Ohio river.

It ought to require no repetition of the inducements so often urged in previous reports, to convince the people of Baltimore, and those of the State more particularly connected by commercial relations with the prosperity of the city, of the vital importance of extending the road to its ultimate destination; and to awaken all classes to a due sense of the exertions which it behoves them to bring to the enterprise.

The advantages already possessed by the city, in enterprise, capital and geographical position should naturally constitute it the commercial emporium of this State, if not of the entire Southern community. Little more is required, than such an enlargement of the sphere of her commerce, and expansion of her resources as may be readily attained by a judicious direction to the energies of the people, and a line of liberal policy upon the part of the State and city authorities, to render Baltimore second perhaps to only one city in the Union.

The present position of Baltimore, with a partial participation in the commerce of the west, is known to all: what it might with reason be expected to become, with the full advantages which the extension of her great work to the Ohio river, thence uniting with other connections leading throughout the Valley of the Mississippi, some estimate may be formed from the advantages conferred upon other cities by similar works, developing resources of no greater magnitude.

If the participation of New York, by means of the Erie canal, in the productions and commerce of the region of country reached by that great work, has in so short a period elevated that city to the commanding position she now occupies, it is not unreasonable to suppose that Baltimore, by means of a rail road communicating by the shortest and cheapest line with the Mississippi Valley, from the Lakes to the Gulf of Mexico, and from the Allegheny to the Rocky Mountains, would derive equal if not superior advantages.

It has been observed that the chief object of the introduction of railways was the transit of merchandise; and, although in the course of their operations it has become apparent that passenger travelling will be the business of greatest value, the original design has lost none of its positive importance. On the contrary, the successful application of locomotive power, to the transportation of merchandise and heavy burthen, has satisfactorily shewn the adaptation of proper lines of railways to all the purposes of commerce. Recent improvements in the construction of the ways; in the locomotive power and in the cars and other machinery; greater economy in the cost of transportation, added to the steadiness and uniformity of their operations in all seasons of the year, and to the increased velocity easily maintained without injury to the way, have satisfactorily shewn, both in the United States and in Europe, that railways, particularly those of great length, may be profitably employed as thoroughfares both for passengers and burthen. On both sides of the Atlantic they are universally used for both purposes, and are to a great extent becoming preferred lines of communication.

Within the last twelve years little if any capital has been employed in the construction of canals, either in this country or in Europe, except, perhaps, where necessary to avoid obstructions in navigating rivers, or to unite navigable waters for the purposes of a continuous navigation; while, during the last twenty years, in constructing and perfecting a system of railways, an expenditure has been incurred, equal to, if not exceeding the cost of all the canals existing in both countries.

In England, railways have been long in use, in connection with the most extensive collieries; and as a part of the works of the Delaware and Hudson Coal Company in New York, a railway is employed with decided advantage for the transportation of their heavy burthen.

In Great Britain, within the last twenty years upwards of three hundred millions of dollars have been expended in the construction of railways, which are used for the transportation of passengers and burthen, and, in most instances have proved extremely profitable. Within the same period, in the United States, not less than one hundred and twenty millions of dollars have been expended in similar works: and in every instance in which they have been finished and judiciously adapted to the state of trade and population, and have been economically constructed and managed—as may be said of most of the works in the New England States—they have also proved to be profitable.

On the continent of Europe, the same preference appears to prevail; and numerous lines of railways—some with the aid of English capital, are in the process of construction in various directions, from St. Petersburg to Paris and Havre, and from the Adriatic to the Baltic. Even in *Holland*, railways are actually constructing in immediate proximity with the ancient canals, and are profitably used for the transportation of merchandize as well as of passengers.

If in the countries of Europe—in which the cost, both of construction and maintainance far exceeds that in the United States—these large expenditures can be justified by the demands of trade, there need be no apprehension that a railway uniting the valley of the Mississippi with the Atlantic Ocean will not accomplish all that the most sanguine may expect from it.

The reduction in the cost of transportation, which, with the aid of present improvements in the operation of railways, the facts stated in this report shew may be effected, leaves no room to doubt that, when finished to the Ohio river, the Baltimore and Ohio Rail Road may be profitably adapted to all the purposes for which similar works elsewhere are used.

Of the increased facilities to be reasonably expected from future improvements in the railway system, and in science and the arts, there is no need to speak.

Happily for all who may be interested in the present condition and future prospects of the Baltimore and Ohio Rail Road, the operations of the past year are well calculated to extend and establish the credit of the company.

The net revenue from all sources has been upwards of five per cent., being more than one per cent. greater than that of the past year; and the road is obviously becoming the preferred thoroughfare, especially for passengers, between the East and the West. The only remaining debt owed by the company is payable in easy annual instalments, requiring less than one-fifth of the net revenue, and in a few years this obligation will be finally extinguished.

By the improvement, now nearly finished, of the Monongahela, by means of a substantial lock and dam navigation, that important river will be rendered navigable for steamers of the first class from Brownsville to Pittsburg, thereby shortening the conveyance to the western waters, by wagons and stages at least fifty nine miles, and affording new and important facilities for the travel and transportation by the rail road.

These advantages, however, afford an inadequate standard by which to judge of the enlarged business and emoluments of the road, when finished to the Ohio river.

If the resources of the western empire be not extravagantly exaggerated, a work, economically constructed and judiciously managed, which will form the shortest and cheapest communication with that important region, cannot fail to be regarded as of immense value, and speedily become a safe and attractive object both of individual and public capital. If English capital to a large amount has already sought investment in the railways constructing in France, and is even attracted by objects of a minor character in this country, it may well be tempted to the construction of the most extensive and profitable enterprise on the American continent.

From recent decisions of some of the most distinguished American Jurists, the exclusive and perpetual use of the leading lines of railways for the transportation of the mails, so indispensable to the necessary control of that department by the General Government, is not to be acquired but by voluntary arrangements with the rail road companies; and it is very obvious that upon the great western line, being already sufficiently advanced, to exclude all other competition, such control cannot be had without a liberal contribution towards its final completion.

It is also obvious that such contribution, upon a scale little exceeding the ordinary charge for mail transportation, would be nearly adequate to extend the road to the Ohio river.

In every view which may be taken of the subject, therefore, the final prosecution of the rail road, it is believed, may be fully relied upon. Some temporary delay may be looked for; and occasional obstacles, which most frequently occur in works of the greatest magnitude, are also probable; but sooner or later energy and perseverance must triumph over all.

The great interests involved in the enterprise are of too much moment, and too widely diffused to be long neglected. The work combines too many considerations, social and political, and appeals to too many of the incentives which stimulate the interest and control the conduct of individuals and states, to be long retarded.

The appreciation of its importance on this side of the Ohio, must continue to urge it forward, and the intelligence and power of the western states, cannot long remain insensible to the value of a work, which will bring them within a few days of the ocean.

When the energies of all who have a motive to carry on the enterprise, and are interested in the developments to which it is to lead are fully aroused, the means of accomplishing the object will be the least obstacle in their path. It may be asserted without exaggeration, that the new resources of the population east and west of the Ohio, which would be developed by the extension of the road; the gain in point of time in the travel and burthen passing over the line; the increased profit to the producer from the saving in the cost of reaching a market,—not to speak of the permanent value to be added to the land and to labor of all kinds, would, in a single year, amount to a sum far greater than would be necessary to complete the work.

It is considerations such as these upon which the Board rest their hopes of ultimate success; and regarding this work as one to be forever associated with the happiness and prosperity of the people, they will continue to urge it onward from every motive of pride and duty.

By order of the Board,

LOUIS McLANE, *President.*

(A)

DR. *The Baltimore and Ohio Rail Road Company.* CR.

Stock in the Washington Branch Road,		$1,032,600 00	Loan at six per cent. for the purpose of taking stock in the Washington Branch Road,		$985,000 00
Cost of road to Harper's Ferry, including real estate and depots, locomotives, passenger and burden cars, &c.,		4,000,000 00	Stock,	$7,000,000 00	
Cost of road west of Harper's Ferry, including real estate, locomotives, &c. &c.,		3,623,606 28	less Delinquent Stockholders,	242 50	
Coal trade, for amount expended in building cars for that purpose,		38,216 74			6,999,757 50
Sterling bonds of the State of Maryland in the hands of Baring, Brothers & Co. of London,		3,181,005 11	Dividends received on forfeited stock,		43 70
City of Baltimore six per cent. stock on hand,		60,096 59	Baring, Brothers & Co. London, for balance now due,		203,702 74
Due by the Washington Branch Road.		4,171 91	State of Maryland five per cent. sterling bonds,		3,200,000 00
Cash in the hands of officers,		4,774 10	Revenue—balance of this account on the 1st of October, 1843,	$312,598 22	
Cash on hand,		47,086 08	Amount which has accrued since, independently of the dividend to be received from the Washington Branch Road,	*$290,454 65	
					603,052 87
		$11,991,556 81			$11,991,556 81

Office of the Baltimore and Ohio Rail Road Company, October 1st, 1844.

J. I. ATKINSON, *Secretary.*

* To this amount is to be added $61,956, the amount of dividend to be received by the Main Stem from the Washington Branch Road, and which will make the balance of the revenue account for the year $352,410 65.

(B)

Statement of the Revenue and Expenses of the Baltimore and Ohio Rail Road Company, on account of the Main Stem of the road, for the year ending the 30th of September, 1844.

The amount received for the transportation of Passengers and Merchandize for the year ending the 30th of September, 1844, has been - - - - -		$658,619 98
And the expenses for the same period have been as follow, viz:		
Expenses of Transportation, including Fuel, Salaries of Superintendent, Agents, Conductors, &c. &c., - - - -	$107,206 86	
Repairs of the Road, - - -	98,790 91	
Repairs of Depots, - - - -	4,931 13	
Repairs of Passenger Cars, - -	10,708 84	
Repairs of Locomotives, - - -	38,700 37	
Repairs of Burden Cars, - - -	25,556 06	
Repairs of Bridges, - - - -	6,454 81	
Repairs of Water Stations, - -	633 74	
Watching Bridges and Pumping Water at Water Stations, Improvements at Depots, &c., - - - - - - - - -	7,364 21	
Office and Incidental Expenses, including Salaries, House Rent, Fees to Counsel, Taxes on Property, &c. &c , -	11,327 02	
Shewing the expenses to have amounted to - -		311,673 95
And the net earnings of the road to be - -		$346,946 03
If from this sum be taken the balance of the interest account, in which is included the interest on city stock,		56,491 38
It will leave the Revenue as shown in Statement A.,		$290,454 65
And adding the dividend which the Main Stem has to receive from the Washington Branch, - -		61,956 00
Shews the balance of the Revenue account as mentioned in note at foot of Statement A, - - -		$352,410 65

Office of the Baltimore and Ohio Rail Road Company,
1st October, 1844.

J. I. Atkinson,
Secretary.

TABULAR STATEMENT, *exhibiting in detail, the operations and various actual expenses of working the* "MAIN STEM" *of the Baltimore and Ohio Rail Road, during the year ending September 30th, 1844,—and the amount of receipts for Transportation of Passengers, Tonnage, Mails, &c., during the same period.*

HEADS OF EXPENDITURE.	Miles run by Locomotives.			Number of Passengers carried one mile.	Cost per Passenger per mile.	Cost of conveying Passengers.	Tons carried one mile.	Cost per Ton per mile.	Cost of transporting Tonnage.	Aggregate cost of working the Road.
	Witb Passenger Trains.	With Tonnage Trains.	Total miles run.							
MOTIVE POWER by Steam,—including actual cost of repairs and renewals of Locomotives and Tenders, ($36,371 48)—Fuel, (7,732 cords of wood and 5,463 tons of coal, including cost of preparing fuel for Engines, $29,987 71)—Oil for Locomotives and Tenders, (6,003 gallons, $4,802 40)—Cotton Waste, (8,639 pounds $420 30)—and Wages of Enginemen & Firemen ($22,909 81,)	152,512	384,840	537,352	8,131,187	0.330 cts	$26,834 64	7,304,468	0.926 cts	$67,657 06	$94,491 70
MOTIVE POWER by horses,—in the streets of Baltimore, . .				100,000		*7,918 23	78,000		*10,253 54	18,171 77
TOTALS AND AVERAGES OF MOTIVE POWER, . . .	152,512	384,840	537,352	8,231,187	0.422	34,752 87	7,382,468	1.055	77,910 60	112,663 47
REPAIRS OF RAILWAY, (less cost of repairing breaches,) . .					0.297	24,393 33		.833	61,499 04	85,892 37
" " BRIDGES, ...					0.022	1,833 16		.063	4,621 65	6,454 81
" " DEPOTS, ...					0.017	1,400 44		.048	3,530 69	4,931 13
" " WATER STATIONS, ...					0.002	179 98		.006	453 76	633 74
PUMPING WATER, ...					0.008	613 49		.021	1,546 70	2,160 19
WATCHING BRIDGES, ...					0.017	1,380 61		.048	3,551 14	4,931 75
REPAIRS AND RENEWALS OF CARS, ...					0.130	10,708 84		.327	24,215 10	34,923 94
TRANSPORTATION DEPARTMENT, including salaries of Superintendent, Agents and Clerks, ($8,935 04,)—Conductors and Brakemen of Passenger Trains, ($2,919 88,)—Conductors and Brakemen of Tonnage Trains, ($6,632 06,)—Labor at Depots, exclusive of cost of preparing fuel, ($4,969 92,)—Oil and Grease for Cars, ($3,019 57,)—and Contingencies, ($4,437 80,) .					0.100	8,270 00		.307	22,644 87	30,914 87
GENERAL EXPENSES, which embrace salaries of President, Secretary, and Clerks in Secretary's Office, Taxes, Insurance, &c.,					0.039	3,216 87		.110	8,110 15	11,327 02
Totals and averages of transportation, ...	152,512	384,840	537,352	8,231,187	1.054	$86,749 59	7,382,468	2.818	$208,083 70	$294,833 29

RECEIPTS AND EXPENSES.

Received for Conveyance of Passengers, - - - - - - - - - - -		$258,517 74
" " Transportation of Tonnage, - - - - - - - - - - - - -		302,484 88
" " " of U. S. Mails, - - - - - - - - - - - -		43,224 30
" " Use of Main Stem to Relay House by Passengers of Washington Branch, -		33,227 99
" " " " " " Tonnage " " -		16,107 45
" " Tolls from Harper's Ferry Viaduct, - - - - - - - - -		1,906 29
" " Use of Cars by Winchester and Potomac Rail Road Company, - - -		3,151 33
Total receipts from all sources, - - - - - - - - - -		$658,619 98
Expended for Conveyance of Passengers and Mails, - - - - - - -	$86,749 59	
" " Transportation of Tonnage, - - - - - - - -	208,083 70	
		294,833 29
Nett revenue, - - - - - - - - - - - - - -		$363,786 69
From which deduct extraordinary expenses, as follows:		
For expenditures on account of breaches west of Harper's Ferry, - - -	$12,898 54	
" improvements at Depots, &c., - - - - - - - - - - -	272 27	
" increase in duplicate parts and materials, for repairs Locomotives, - -	2,328 89	
" " " " " Burden Cars, - -	1,340 96	
		16,840 66
Surplus revenue as shewn by Secretary's statement B., - - - - - -		$346,946 03

REMARKS.

Besides the Tonnage transported as above, and for which the Company have received pay, there has been hauled of Materials for Repairs of Railway and Bridges, and of Fuel for Locomotive Engines, &c., equivalent to 1,035,411 Tons one mile; which amount, if added to the 7,304,468 Tons hauled one mile by Locomotives as above stated, and tbeir sum divided by the number of miles run by Locomotives with Tonnage Trains, will shew the average net load of each Engine to have been but 21.67 Tons; which is nearly one ton less than the average of the previous year.

There have been carried over the Winchester and Potomac Rail Road, in the Cars of this Company, equivalent to 411,490 Tons one mile.

The average Number of Passengers to each train has been 54 nearly.
" " charge for Passengers, 3.141 cents per Passenger per mile.
" " " " Tonnage, 4.097 " Ton "
" " cost for Repairs of Locomotives, 6.67 cents per mile run witb trains.

For the purpose of more easy comparison with the working of other roads not subject to the expense of horse power, it may be stated that after deducting the expense of horse power in the streets of Baltimore, the cost per mile of running the trains has been 51½ cents; and that including horse power, it has been 54 8-10 cents.

The expenditures common to both Passenger and Burden Trains, have been divided in the proportions of the number of miles run by the Locomotives with Trains of each description.

JAMES MURRAY,
Engineer of Machinery and Repairs.

*These expenditures include the cost of conveying Passengers and Tonnage for the Washington Branch Road, through tbe street of Baltimore.

(D)

Dr. *The Washington Branch Rail Road.* Cr.

Cost of road, real estate, engines and cars,	$1,650,000 00	Stock,	$1,650,000 00
Cash in the hands of officers,	118 82	Annuity of five per cent. stock for right of way at Elkridge,	25,000 00
Cash on hand,	139,848 28	Due the Baltimore and Ohio Rail Road,	4,171 91
		Revenue, for balance of this account,	110,795 19
	$1,789,967 10		$1,789,967 10

Office of the Baltimore and Ohio Rail Road Company, October 1st, 1844.

J. I. Atkinson,
Secretary.

(E)

Statement of the Revenue and Expenses of the Washington Branch of the Baltimore and Ohio Rail Road, for the year ending the 30th of September, 1844.

The amount received for the transportation of Passengers and Merchandize for the year ending the 30th of September, 1844, has been - - - - -		$212,189 06
And the expenses for the same period have been as follow, viz:		
Expenses of Transportation, including Fuel, Salaries of the Superintendent, Agents, Conductors, &c. &c., - - -	$22,356 68	
Repairs of the Road, - - -	16,890 62	
Repairs of Locomotives, - - -	6,445 42	
Repairs of Passengers Cars, - -	5,898 34	
Repairs of Burden Cars, - - -	5,331 47	
Repairs of Depots and Water Stations,	505 44	
Bonus to the State, ⅕ of the receipts from Passengers, - - - - - -	41,040 29	
Statement of a claim for right of way and damages, - - - - - -	303 70	
Interest on the Elkridge Landing annuity,	1,250 00	
Office and Incidental Expenses, including Salaries, House Rent, Fees on Property, &c., - - - - - - - -	7,647 77	
Shewing the total amount of expenses to have been,		107,669 73
And the net revenue of the year, - - - -		$104,519 33
To which add the surplus of last year, - -		6,275 86
And the result is the balance of the Revenue account as shewn by Statement C., - - - - - -		$110,795 19

Office of the Baltimore and Ohio Rail Road Company,
October 1st, 1844.

J. I. Atkinson,
Secretary.

(F)

Comparative Statement of the operations of the Washington Road for the year ending the 30th September 1843, and that ending on the 30th September 1844.

	1843.	1844.
Miles run by passenger trains, ...	62,396	62,915
Miles run by tonnage trains, , ...	34,320	35,558
Aggregate number of miles run, ...	96,716	98,473
Number of passengers carried one mile, .	2,646,719	3,575,029
Number of tons carried one mile, ...	805,429	900,628
Total cost of conveying passengers and mails,	$43,799	$41,201
Total cost of conveying tonnage, ...	$25,067	$22,941
Aggregate cost of working the road, . . .	$68,866	$64,142
Cost per passenger per mile, ...	1.654 cents.	1.152 cents.
Cost per ton per mile, ...	3.112 cents.	2.547 cents.
Average number of passengers in each train,	42	57 nearly.
Average number of tons in each train, . .	23	25⅓
Average cost of repairs of locomotives per mile,	6.459 cents.	6.545 cents.

JAMES MURRAY,
Engineer of Machinery and Repairs.

TWO REPLIES

Of the Baltimore and Ohio Rail Road Company, to interrogatories propounded to the said Company by the House of Delegates of Maryland,—on the 25th of January and 10th of February, 1844.

On the 25th of January 1844, the House of Delegates of the State of Maryland passed the following order:

By the House of Delegates,
January 25th, 1844.

Ordered, That the President of the Baltimore and Ohio Rail Road Company be requested to report to this house, the lowest rate of toll per ton per mile at which the company would agree to transport Coal, Iron, &c. from Cumberland to Dam No. 6, provided an arrangement be made for such transportation to last for the next two years, and also for the next twelve years, or permanently, and under such arrangement the number of tons the company will agree to transport annually;—also, whether the company would agree to lay down a second track, should the same be required; and further, to give a statement of the relative cost of transportation by means of the road and canal from Cumberland to Georgetown, and by the canal alone if finished from the same to the same; and further to state whether the rail road company would agree to take a proportion, and if so what, of the stock of a company, if incorporated, to make a rail road from Cumberland to the Frostburg mines, and further, whether the rail road company will extend their road to the Frostburg region immediately, and at what rate they will transport coal upon such extension.

By order,

GEO. G. BREWER, *Clerk.*

To this order, at their meeting on the first of February 1844, the Board of Directors of the Baltimore and Ohio Rail Road Company, directed the following answer to be given, and which was accordingly on that day transmitted, viz:

Resolved, That the President transmit to the speaker of the House the following answer to the several inquiries contained in an order of the House of Delegates, passed the 25th ultimo.

1st.—That, provided a satisfactory arrangement be made within the ensuing twelve months, for the transportation of not less than 105,000 tons of coal annually, in equal daily quantities, during the canal season, assumed to be 250 days, from Cumberland to Dam No. 6, to continue for twelve years or permanently, this company will engage to transport that amount, or any greater quantity not exceeding 500,000 tons as aforesaid, between those points at $1\frac{1}{3}$ cent per ton per mile.

2d.—That the present road with a single track, and such sidelings, to be provided, as the trade may require, being deemed sufficient to accommodate the transportation annually of at least 500,000 tons of coal between Cumberland and Dam No. 6, the company at present decline entering into an agreement to lay down a second track.

3d.—That this company decline to assert positively the lowest cost of transportation by the canal alone, if finished from *Georgetown* to *Cumberland*, but assuming such cost to be, as stated in the report of the Canal Company of the 16th of November last, $1\frac{254}{1000}$ of a cent per ton per mile, the relative cost of transportation by means of the rail road from *Cumberland* to Dam No. 6, and thence by canal to *Georgetown*, and by the canal alone, if finished from the same to the same, will appear as follows:

Tolls and charges on Rail Road to Dam No. 6, 45 miles at $1\frac{1}{3}$ cent. .	60
Tolls and transportation on the Canal from Dam No. 6 to Georgetown, 136 miles at $1\frac{254}{1000}$ ct. per mile.	1 70½
	$2 30½
The cost of transporting a ton of coal from Cumberland to Georgetown by the Canal alone, 184½ miles, at the above rate of $1\frac{250}{1000}$ ct. per ton per mile	$2 31

4th.—That the board having been officially informed by the President of the Maryland and New York Iron and Coal Company, that he can command the funds requisite for the construction of a rail road from Cumberland up the valley of Jennings' run to the coal and iron deposites of that region, and is desirous of completing it within the shortest possible time, the company decline entering into an engagement immediately to construct a road on its own account, or to take a proportion of the stock of a company, if incorporated, to make a rail road from Cumberland to the Frostburg mines; nor do the company deem it expedient to engage immediately to extend their road to the Frostburg region.—Their operations in this respect would necessarily depend upon the state of their funds, and upon the route to the Ohio river which they may ultimately decide to adopt.

But supposing the rail road about to be constructed by the Maryland and New York Iron and Coal Company, from Cumberland up the valley of Jennings' run, to the coal and iron mines, a distance of about ten miles, to be worked in connection with the Baltimore and Ohio Rail Road, and with the machinery of that company, the cost of transporting coal upon such extension, and in such connection, may be stated at 20 cents per ton. But if such extension should be worked in another connection and with different machinery, the cost of such transportation, it is supposed, would be at least 10 cents greater.

5th.—The additional expense of handling, and the irregularity of loads, will not authorize a less charge of transportation for pig iron than 2 cents per ton per mile; and the transportation of manufactured iron, requiring cars of greater weight and cost in proportion to the load hauled, and greater precaution to protect it from the weather, would not justify a less charge for this article than 3 cents per ton per mile between Cumberland and Dam No. 6.

On the 10th of February 1844, the House of Delegates passed another order, as follows:

By the House of Delegates,
February 10th, 1844.

Ordered, That the President of the Baltimore and Ohio Rail Road Company be requested to inform this House, forthwith:

1st.—What is to be understood by the terms "satisfactory arrangement," in the first answer contained in the extract from the minutes of said company recently reported to this House, and to state what sort of an arrangement said company would require to be made to ensure the transportation on the rail road, of coal from Cumberland to Dam No. 6, at $1\frac{1}{3}$ cent per ton per mile.

2d.—Whether said company for such charge contemplates a ton of 2,000 lbs or of 2,240 lbs.

3d.—What amount of money would be necessary to provide conveyances, cars and machinery, and to construct the necessary sidelings and switches to accommodate a trade of 105,000 tons annually, between Cumberland and Dam No. 6, and what amount would be required for the same purposes to accommodate a trade of 500,000 tons annually between said points.

4th.—Whether the Baltimore and Ohio Rail Road Company has means, or can obtain means to meet the expenditure that will be necessary under the last interrogatory; and if so, from whence they are derived, or expected to be derived.

5th.—Whether, in his opinion the transportation of coal from Cumberland to Dam No. 6, in the manner proposed, and at a charge of 1⅓ cent per ton of 2,240 lbs. per mile, would be profitable to the rail road company.

6th.—Whether the said company, without a stipulation for an equal daily quantity, would be willing to transport coal from Cumberland to Dam No. 6, in such quantities as from time to time may be offered for transportation, and will increase its conveyances for that purpose according to the growth and requirements of the coal trade; and for what charge the said company would be willing to do so for a given length of time, and for what shortest time.

7th.—What quantity of coal was taken from Cumberland last year, other than for the use of the company, and whether all that was offered for transportation was carried when presented, or whether there was delay when other tonnage was seeking transportation, and what were the rates charged per ton of 2,240 lbs. per mile.

8th.—What is the highest ascending grade on the rail road from West to East, from Cumberland to Dam No 6.

9th.—Why in the recent answer to the House of Delegates is it stated that upon rail roads from the coal mines to Cumberland, worked in connection with the road from Cumberland to Dam No. 6, and with the same machinery, it will cost 2 cents per ton per mile on the former, and 1⅓ cent per ton per mile on the latter.

By order,

GEO. G. BREWER, *Clerk.*

To this, the Board, at their meeting on the 15th of the same month, directed the following answer:

OFFICE OF THE BALTIMORE AND OHIO RAIL ROAD COMPANY,
February 15*th*, 1844.

To the Honorable,
the Speaker of the House of Delegates:

SIR:—I had the honor to receive on the 12th instant, the order of the House of Delegates passed on the 10th, and having at the earliest day practicable submitted it to the Board of Directors of this company, I am authorised to transmit the following reply.

In the first place, the board desire it should be distinctly understood that the investigation into which the House of Delegates have been led, has been without their prompting or knowledge, and that in responding to inquiries into their resources and business, which, by exposing in detail the course and results of a single branch of their operations, may possibly lead to erroneous inferences in respect to others,—without a like opportunity of explanation,—they yield only to a sense of respect due to the Legislature of the State having so deep an interest in the trade and revenues of the road. The sequel of this present answer will satisfactorily shew that the board need have no other objection to the amplest exposition of their credit and resources, and of the whole range of their transactions, on any other ground than that already indicated.

The board have at no time heretofore deemed it expedient or desirable to make expensive preparations for the transportation of any considerable amount of coal from the mines in Alleghany county. It has been quite obvious to them, as indeed they must presume it will be to all, that without the facilities of rail road communication between the mines and Cumberland, the article could not be brought to the latter point in quantities sufficient to warrant a large expenditure in providing means of transportation by any channel whatever. Up to this period the ultimate route of the Baltimore and Ohio Rail Road from Cumberland to the Ohio river is too indeterminate to authorise any attempt to extend it to any part of the coal region, and it is only recently that the board have seen any evidence of the existence, in any other quarter, of the capital sufficient either to construct a road to the mines, or to develope, except in a partial degree, their resources. It would be manifestly unwise in this company, or, as it may be presumed, in any authority whatever, to venture upon a large expenditure to acquire the capacity to accommodate a particular branch of trade, without at least some reasonable assurance that after the capacity should be acquired, sufficient trade would exist to employ it; and this consideration is particularly applicable to the operations of the rail road, inasmuch as the greater part of the preparations necessary for the transportation of coal would not be needed, and could not be advantageously employed in any other business.

This board, moreover, after thorough investigation of the subject in all its bearings, have placed no great confidence in the expectations founded upon the rapid and extensive development of the coal of that portion of the state. If the requisite capital for the purpose can be commanded, they have been unable to discover any evidence that the demand for consumption will be such as to authorise, on their part, at least, any great preparations for engaging in the trade. They have become convinced, on the contrary, that many years must elapse before the demand will require more than 100,000 tons in any one year, whatever facilities of transportation may be afforded. It is to be observed also that to justify the rail road company in engaging extensively in the transportation of coal, at such rates as would bring it to market upon equal terms with coal of others States, it would be necessary that the trade should be large in amount, and of certain and regular supply throughout the year; of which, up to this time certainly, there has been no satisfactory assurance. Of the capacity of the company, with those advantages, to engage in the transportation of coal, at rates extremely profitable, and at the same time so low as to exclude the apprehension of rivalry from other works,—according to any rate of charge at present known,—the board have never doubted. The estimates accompanying this answer, and the large margin of profit which they exhibit upon the terms assumed, will shew that, if the board would be content with a nett profit of six per cent. upon the capital employed, it has the capacity to engage in the trade from the mines to the city of Baltimore at rates below any other mode of transportation at present known. The indisposition of the board, therefore, heretofore to engage in the transportation of coal, has proceeded from no other apprehension than the want of certainty and regularity in the amount; and on this ground they have preferred waiting events, and to test the practicability of developments so confidently predicted by others; with entire confidence, at the same time, that if those expectations should be realized and the trade in coal become sufficiently regular and

certain, they could, at any time, engage in the transportation of it to Baltimore without danger of serious competition with any other rival.

Previous to the order of the House of Delegates of the 25th of January, however, the board were officially informed by the President of the Maryland and New York Iron and Coal Company, that he had procured the requisite funds for the construction of a rail road from the works of that company to Cumberland, and was anxious for the completion of the road in the shortest possible time. The same officer also verbally communicated his desire to adopt the Baltimore and Ohio Rail Road to Baltimore for the transportation of coal and iron, if this company would engage in the trade at such rates as would enable him advantageously to do so. The investigation to which this application led only confirmed the opinion of the board that they might engage in the transportation with great advantage to the stockholders, and upon terms which, considering the speed at which they could perform the business, and the superiority of the Baltimore market, he might be well content to accept. Under such circumstances, they felt an obligation not to withhold their aid from the development of the resources of that important region. The order of the House of Delegates of the 25th January, therefore, came while investigations into the practicability of arrangements for this purpose were actually in progress. A few days subsequent to the answer of the board to that order, the President of the Maryland and New York Iron and Coal Company submitted a further and specific proposition; and, it may be proper to remark, that in this proposition that company, of acknowledged means and capacity, does not appear to contemplate a greater amount of transportation than fifty-two thousand five hundred tons per annum for a period of five years, and that not of coal only, but of "Coal, Pig Iron, Bar Iron, Fire bricks, Castings and other manufactures of Iron." The object of the proposition was to ascertain the terms upon which this board would transport that amount *from the mines to Baltimore*, if the Maryland and New York Company would make a rail road from the mines to the depot at Cumberland, and enter into an agreement for five years to furnish a freight, for one train of cars, supposed to transport one hundred and seventy-five tons per day for three hundred days in the year.

In answer to the proposition, this board have offered to enter into an engagement to transport that amount of freight, in the manner proposed, from the mines to *Baltimore*, at one and one-third cent per ton per mile, a distance of one hundred and eighty-eight miles, with ten cents per ton for transportation through the streets of Baltimore; and one cent per ton per mile for one hundred and eighty-eight miles in addition upon manufactured iron, when required to be transported in house cars; the Maryland and New York Company to load and unload the cars. An official estimate, forming the basis of this offer upon the part of the company, and shewing the results of the operation, is herewith submitted, marked D.

I have now to add that, since the preparation of this reply, a communication has been received from the President of the Maryland and New York Iron and Coal Company, announcing the acceptance by that company of the foregoing offer; and stating his readiness to conclude a formal agreement to carry out the arrangement.

With these remarks, which have been deemed proper for a full understanding of the whole subject, I proceed to a more particular reply to the several questions propounded in the order of the 10th instant.

FIRST.—The terms "satisfactory arrangement" in the answer of the board of the first inst., are to be understood to require a reasonable assurance that the amount of transportation for which the company would be compelled to qualify itself, should in good faith be furnished; and with such regularity and punctuality, during the period assumed, as would authorise the board to engage in it at the low rates proposed.

If such reasonable assurance could not be given by those who may be interested in the trade, and who are seeking the means of reaching the market, it is not perceived upon what grounds they can with propriety demand a large expenditure of money for the preparation of any means of transportation.

It has already been remarked that without a rail road communication from the Frostburg mines to Cumberland, it is obviously impossible that the resources of the former can be sent forward in quantities to justify any considerable preparation of any kind; and it is not to be supposed that these works will be constructed until the market shall demand an adequate supply, and the capital be provided to meet such supply. As the basis, therefore, of any "satisfactory arrangement" contemplated in the former answer, the board would require, *First*, that the necessary communications from the mines to Cumberland, should be constructed; *Second*, that adequate capital for working the mines to the proposed extent should be provided: and *Third*, that responsible parties, engaged in the business, should enter into an agreement to furnish the requisite amount upon the terms and in the manner proposed. The board would take it for granted that responsible parties would not perform these things without a reasonable certainty that they would find a market for the products of their labor and capital; and until they can have such certainty they would not be justified in demanding extensive and unnecessary expenditures, of which they could not avail themselves.

SECOND.—For the charge of $1\frac{1}{3}$ cent per ton per mile, as specified in their answer of the first instant, the board contemplates a ton of 2,240 lbs.

THIRD.—In reply to this question, and in illustration of other parts of this answer, I herewith submit a report and estimate of the Superintendent of Machinery and Repairs, approved and confirmed by the Chief Engineer of the Company, marked B. From this it will appear that to provide the necessary "conveyances, cars and machinery, to accommodate a trade of 105,000 tons, annually, between Cumberland and Dam No. 6," it will require the sum of *eighty-seven thousand dollars*, and for additional sideling tracks at Dam No. 6, *three thousand dollars*, making together *ninety thousand dollars;* and "for the accommodation of 500,000 tons, annually, between the said points" it would require $150,000, including, of course, the previous sum of $90,000.

FOURTH.—Under other circumstances, it might be a sufficient reply to this question to state that, the company expect to derive the means to enable them to engage in the transportation they have contemplated, from those sources from which all rail road companies derive the means of maintaining their works and carrying on their trade; and that this board is quite incapable of venturing to engage in any branch of trade, without a just reliance upon their ability to fulfil their engagements. Upon the present occasion, however, the board desire to give a more particular answer.

In their annual report of October, 1842, the board stand pledged not to apply any portion of their annual revenue to the extension of the road west

of Cumberland, without at least the consent of the stockholders; and, adhering to the determination to prosecute their work with the least possible delay to the Ohio river, they would deem it unwise to use any part of their funds appropriately applicable to the extension of the road, for the purpose of increasing their machinery for the accommodation of trade from the present terminus.

The trade upon the Baltimore and Ohio Rail Road, however, is obviously on the increase, and in the course of the next year may require some augmentation of its machinery for the accommodation of the regular and accustomed business. For this purpose, and for any new trade in which the board may decide to engage, the ordinary and legitimate resources are the *credit* and *revenue* of the company. From one of these the capital needed for the contemplated transportation of coal must be drawn, and that either will prove entirely adequate, is not to be doubted.

Of the solidity of its credit, this company has just reason to be proud; and they have the gratification to know that under its financial arrangements, the improved economy in its operations, and the continual increase in its business, its credit is daily becoming better entitled to public confidence. It has, at all times, promptly complied with its obligations to the State, and to individuals; its ability in the future is not less than in the past; and its bonds now outstanding for the debt incurred on account of the Washington Road, are in demand in the market at a premium of five per cent. If it may be assumed that capitalists will be found to advance the requisite funds for working the mines which are to yield the coal for transportation, and for the construction of the roads necessary for its conveyance to Cumberland; or if it be probable that the same facilities may be found to raise the millions, requisite to provide other channels of conveyance, not merely dependent upon the developement of the trade, but in competition, as the estimates herewith submitted shew, with a work in full operation, capable of transporting at as low a cost; the ability of this company to raise, upon its credit, some addition to its revenue, to be employed in a business certainly yielding a net annual profit of not less than 20 per cent., will scarcely be deemed less probable.

The revenue of the company, should it be proper to use it, presents a resource equally available.

The net revenue of the last year amounted to nearly $280,000, and enough is already known to authorise the presumption that for the present it will not be less than $300,000. Hence it will be clear, from the estimate already referred to, that to accommodate a coal trade of 105,000 tons per annum, from the mines to Dam No. 6, little more than *four months* of the net revenue will suffice; and that for the same amount of transportation from Cumberland to Dam No. 6, a much less sum will be adequate. It is to be remarked also, that upon either amount, should it be drawn from the revenue, the stockholders will annually receive nearly 20 per cent. from its new employment, and one-third per cent. upon the entire capital of $7,000,000.

Whether the board will resort to its credit or to its revenue, will depend upon the best view they may take of the interest of the stockholders, when it may become necessary to resort to either.

The conviction entertained by the board, of the progress and amount of the contemplated coal trade, if the supply for consumption should immediately require the transportation of 105,000 tons in one year, they are quite

confident that, after reaching that amount, whenever that may be, the annual increase from that time, may be accommodated from the profits derived from this branch of trade. It may well be supposed, that no one can be found so sanguine as to imagine that the consumption of this coal will at the end of eight years require the annual transportation of more than 500,000 tons; and, upon this hypothesis, the statement therewith submitted, marked C, will shew that the transportation of such amount at that period, as well as previous thereto will be maintained by the profits of this single operation, without further recourse to the revenue or the credit of the company. If, however, the board should, in any degree be disappointed in these expectations,—which they by no means apprehend,—the deficiency, small as it must necessarily be, may be readily supplied from either of the sources already indicated.

Fifth.—In reply to this question also the attention of the House of Delegates is particularly requested to the estimates already referred to, and marked B; which were taken as the basis of the previous answer of the board of the 1st instant.

These estimates and the expenses of transportation are in every instance derived from the *actual experience*, not only of other companies, but of this company; an experience in our operations of many years, and from their uniformity, and the economy we have been enabled to introduce, all estimates founded upon them possess, in all our calculations, the most satisfactory authority.

It is to be observed also that the principal means by which we are enabled to engage in the transportation of coal at the low rates referred to, are found; 1st, in the use of the improved heavy engine, possessing nearly triple the capacity of those formerly, and now in use by the company; 2d, in the comparative cheapness of the description of cars, and the less weight they are required to have in proportion to the load they carry: and 3d, in the amount, and regularity and punctuality of the trade.

It may, therefore, be stated that from Cumberland to Dam No. 6, a distance of 45 miles, the cost per ton per mile of transporting 105,000 tons in 250 days of canal navigation, is estimated at $\frac{941}{1000}$ of a cent. If the charge be $1\frac{1}{3}$ cent per ton per mile, the net profit will be $\frac{392}{1000}$ of a cent per ton per mile; and upon 105,000 tons transported 45 miles, or 4,725,000 tons carried one mile, it would be $18,522, being upwards of 20 per cent. upon the capital employed, and more than one per cent. upon the entire cost of the road of 45 miles used for the transportation. Upon the same quantity transported from the mines to Dam No. 6, and requiring a capital of $102,000, the net profit would be $23,215, being nearly 23 per cent. upon the capital employed.

It will also be observed that the expenses of transporting 105,000 tons of coal from Cumberland to Dam No. 6, include interest, at 6 per cent, upon the whole cost of machinery employed in it, as well as every other item of cost arising out of the trade; and the estimate also allows one-fourth of a cent per ton per mile for the increased wear and tear of the road due to the accession of the additional trade. Regarding this specific transportation between the said points as no part of the general trade of the road, upon which all the present expenses of working it are charged, it was deemed unjust to charge the new trade with any part of the expenses already incurred, and which would continue, although the additional trade should not be undertaken; and, therefore, it is not doubted that one-fourth of a

cent per ton per mile will prove an ample allowance for the additional wear and tear it is intended to cover.

In any view, therefore, whether we regard the investment of the additional capital in the machinery alone, or in that and the road together, it is presumed that the transportation proposed will be considered "*profitable.*"

SIXTH.—At 2 cents per ton of 2,240 lbs. per mile, the company would be willing to transport coal from Cumberland to Dam No. 6, at all times, without requiring a stipulation that it should be delivered in equal daily quantities: and would be willing to "increase its machinery for that purpose according to the growth and requirements of the coal trade; provided such trade between those points shall be equal to 50,000 tons per annum, and the company not be required to transport more than four hundred and twenty tons in one day. Or, if the trade should amount to 100,000 tons per annum, the company would transport it in the same manner, and at the same rate not exceeding 840 tons per day.

SEVENTH.—Since the opening of the road to Cumberland in November, 1842, the rate for the transportation of coal has been 2 cents per ton per mile; and until there should be greater facilities for its conveyance from the mines to Cumberland, the company did not increase its machinery for the accommodation of this trade. The whole quantity of coal, other than that for the use of the company, taken from Cumberland upon the rail road to all points amounted to 5,625 tons of 2,240 lbs.; and all that was offered for transportation was not invariably carried when presented. There was occasionally also "delay when other tonnage was seeking transportation." This was the consequence of an insufficiency of machinery to transport all articles offered for that purpose; and when it became necessary to choose between different articles presented at the same time, such as were perishable or most valuable, were preferred. Such, moreover, was the irregularity in the delivery of coal as to render its prompt transportation in many cases impracticable, even if the company had been better prepared for the trade. The limited means, during the past year, for the transportation of coal, was well known to the dealers in that article, who, without any expectation of its immediate transportation, must have delivered it with full knowledge of the risk of delay.

EIGHTH.—The highest ascending grade on the rail road, from west to east from Cumberland to Dam No. 6, is $26\frac{4}{10}$ feet per mile.

NINTH.—In the recent answer to the House of Delegates, it is stated, that upon a rail road from the mines to Cumberland, worked in connection with the road from Cumberland to Dam No. 6, and with the same machinery, it will cost 2 cents per ton per mile on the former, and $1\frac{1}{3}$ cent per ton per mile on the latter; because the road from the mines to Cumberland is but 10 miles in length, and dependent for its revenue entirely upon the coal trade. On this account its general expenses would have to be borne entirely by that trade, inasmuch as it would derive no such aid as is yielded to the Baltimore and Ohio Rail Road from the travel, and transportation of burthen, by which this road is now supported. It is, therefore, obvious that the charges cannot be the same on both roads, although worked by the same machinery, as it is supposed in the recent answer.

Of the 2 cents per ton per mile, the assumed cost on the road from the mines to Cumberland, $1\frac{83}{1000}$ cent would be received by the Baltimore and Ohio Rail for transportation, and the remaining $\frac{917}{1000}$ cent would belong to the proprietors of the former road; and, if the road be supposed to cost

$150,000, and the expenses of repairs and management to be at the rate of $600 per mile per annum, it would require a trade of 163,576 tons over its entire length, in each year to pay an interest of six per cent. per annum upon the cost of construction. It might indeed be questioned whether the proprietors of a rail road from the mines to Cumberland would, for some time to come, be justified in charging so low a rate of toll as 2 cents per ton per mile, assumed in the recent answer.

I have the honor to be, sir,

Very respectfully,

Your obedient servant,

LOUIS McLANE, *President.*

[B]

ESTIMATES *of the cost of Transporting Coal from Cumberland and from the Frostburg Mines to Dam No. 6 on the Chesapeake and Ohio Canal,—extracted from Report of the undersigned, bearing date 31st January* 1844.

First.—As to the cost of transporting coal from Cumberland to Dam No. 6 by the Baltimore and Ohio Rail Road, distance forty-five miles. This estimate contemplates the employment of locomotives weighing 20 tons, and of sufficient power to transport 30 cars carrying 7 tons each, or 210 tons of coal per train and that three locomotives will be required to perform the work of two, and that the season of canal navigation will continue 250 days—cars loaded in one direction only.

Estimated cost per day of train carrying 210 *tons coal.*

Interest on 1½ times cost of locomotive and tender per working day, (the cost of engine and tender being estimated at $10,000.)	$3 60	
Repairs and renewals of engine and tender at 9 cents per mile run with trains—90 miles per day,	8 10	
Oil for engine and tender, 1½ gallons at 90 cents,	1 35	
Fuel, 3 tons of coal at $1.68-100 per ton, . .	5 04	
Wages of engineman and fireman, . . .	3 50	
Wages for two brakemen, one at 1¼ and one at $1,	2 25	
Interest per working day on 75 coal cars at $3 80 each, ...	6 84	
Repairs and renewals of cars at ¼ of a cent per ton per mile,—of load hauled, ...	23 62	
Grease for cars, ...	1 50	
Making a total of	$55 80	
Being at a rate per ton per mile of . . .	0.591	cents.
Add to this for wear and tear of road, bridges, &c.	0.250	"
And for contingencies, ...	0.100	"
The total cost per ton per mile will then be	0.941	cents.

Two such trains as that above estimated (with less than which the trade could not be so economically conducted) would carry 105,000 tons of coal from Cumberland to Dam No. 6 during the 250 days of canal navigation, which at 2 cents per ton per mile, would yield a nett revenue of $50,037 75-100.—At 1¾ cents per ton per mile $38,225 25-100, and at 1½ cents per ton per mile $26,412 75-100.

The amount of capital requisite to procure the machinery for two such trains would be $87,000.

Second.—As to the cost of transporting coal from the mines in the vicinity of Frostburg to Dam No. 6, say 55 miles, engines, load, &c., as before. Engines working two days and laying by the third for examination. Average day's work of engines and attendants of train 73 miles.

Estimated cost of train per round trip of 110 *miles.*

Interest on $1\frac{1}{2}$ times cost of engine and tender per round trip, (cost of engine and tender as before,) . .	$5 40
Repairs and renewals of engine and tender at 9 cents per mile run, with trains (per round trip,)	9 90
Fuel, 4 tons coal at $1 per ton, ...	4 00
Oil for engine and tender $1\frac{3}{4}$ gallons, at 90 cents (per round trip,)	1 57
Wages of engine and fireman, (per round trip,) .	5 25
Wages of 2 brakemen (one at $\$1\frac{1}{4}$ and one at $1 per day, (per round trip,)	3 37
Interest on 75 cars at $380 each (per round trip,) .	6 84
Repairs and renewals of cars at $\frac{1}{4}$ of a cent per ton per mile, of load hauled " "	28 87
Grease for cars, " "	1 87
Total cost of train per round trip, . . .	$67 07

Being at the rate	0.581	cents per ton per mile.
Add to this for wear and tear of road, bridges, &c.,	0.250	" " " " " "
And for contingencies,	0.100	" " " " " "
And we have as total cost,	0.931	

Amount of money required to procure the machinery to run two trains per day under the above system would be $102,000.

The quantity of coal transported would be the same as in the former case, viz. 105,000 tons.

Net earnings at $1\frac{1}{3}$c. per ton per mile would be . .	$23,215
" " " $1\frac{1}{2}$c. " " " . .	32,859
" " " $1\frac{3}{4}$c. " " " . .	47,924
" " " 2 c. " " " . .	61,737

The cost of transporting a ton of coal from Cumberland to Georgetown, by rail road to Dam No. 6 and thence by canal, will be as follows, viz:

First.—Supposing tolls and charges upon the rail road to be $1\frac{1}{3}$ cents per ton per mile, on 45 miles would be .	$0 60
And supposing charges for tolls and transportation on canal to be the same as assumed by the President and Directors of the Canal Company in their report of the 16th November last, viz: 1 254-1000 cents per ton per mile, on 136 miles, would be	1 $70\frac{1}{2}$
Total cost of transportation	$2 $30\frac{1}{2}$

Second.—Should the charge upon the rail road be fixed at $1\frac{1}{2}$ cents per ton per mile, add to the above . .	$07\frac{1}{2}$
Total cost will then be	$2 38
Third.—Should the charge upon the rail road be fixed at $1\frac{3}{4}$ cents per ton per mile, add the further sum of .	$11\frac{1}{4}$
And the total cost will then be . . .	$2 49$\frac{1}{4}$
Fourth.—Should the charge upon the rail road be fixed at 2 cents per ton per mile, add as before . . .	$11\frac{1}{4}$
The total cost from Cumberland to Georgetown will then be	$2 60$\frac{1}{2}$
Fifth.—And should the road be extended to the mines, add for transportation and charges from the mines to Cumberland—say	20
Making the entire cost from mines to Georgetown	$2 80$\frac{1}{2}$
The cost of conveying a ton of coal from Cumberland to Georgetown by the canal alone, at the rate above assumed, distance 184\frac{1}{2}$ miles, would be . .	$2 31
Add to this the cost upon rail road from the mines to Cumberland, which upon a road so short as 10 miles, with no other support than that derived from the coal trade, and to be worked independently of the Baltimore and Ohio Rail Road cannot be much, if any less than	30
And we have as the cost to Georgetown, by rail road to Cumberland and thence by canal . . .	$2 61

Respectfully submitted by

JAMES MURRAY,

Engineer of Machinery and Repairs
Baltimore and Ohio Rail Road.

Baltimore, February 13*th*, 1844.

I have carefully examined the preceding estimates and have confidence in their sufficiency for the purposes intended.

BENJ. H. LATROBE,
Chief Engineer.

[C]

STATEMENT *exhibiting the rate of increase in the Coal Trade between the Coal Mines in the vicinity of Frostburg and Dam No. 6,—which may be provided for by applying the net earnings from this trade alone (after paying an interest of 6 per cent. per annum upon the accumulated capital invested in Machinery,) to the procurement of Machinery for that purpose,—beginning with a trade of 105,000 tons per annum, and an outfit of Machinery costing $102,000, and the rate of charge per ton per mile, being 1⅓ cents.*

Period of time.	Amount of capital invested in machinery at the begin'g of each year.	Rate of accommodation per annum at the beginning of each year.
Beginning of 1st year, ...	$102,000	105,000 tons.
do. of 2nd "	125,215	128,897 "
do. of 3rd "	153,714	158,234 "
do. of 4th "	188,700	194,249 "
do. of 5th "	231,648	238,459 "
do. of 6th "	284,371	293,172 "
do. of 7th "	349,191	359,898 "
do. of 8th "	428,764	441,810 "
do. of 9th "	526,448	542,366 "

Respectfully submitted,

JAMES MURRAY,

Engineer of Machinery and Repairs,
Baltimore and Ohio Rail Road.

Approved, February 14, 1844.

BENJ. H. LATROBE, *Chief Engineer.*

[D]

ESTIMATED COST *of Transporting Coal from the Mines in the vicinity of Frostburg to Baltimore, distance* 188 *miles—supposing the use of Locomotive Engines of* 20 *tons weight, and of sufficient power to carry* 25 *Cars containing* 7 *tons each, or* 175 *tons to the train—three Locomotives being required to do the work of two,* 300 *working days during the year, and that equivalent to four days will be required to make the round trip.*

Interest on 6 locomotives and tenders at $10,000 each per round trip of 4 days, ...	$12 00
Repairs and renewals of locomotives and tenders at 9 cents per mile, run 376 miles per round trip, .	33 84
Fuel per round trip, 15 tons at $2 per ton, averaged Harper's Ferry, ...	30 00
Oil for engine and tender per round trip, 6 gallons, at 90 cents per gallon, ...	5 40
Wages of Enginemen and Firemen, . . .	14 00
Wages of Brakemen, ...	9 00
Interest per round trip on 200 cars at $380 each, .	15 20
Repairs and renewals of cars at ¼ of a cent per ton per mile of load hauled (32,900 tons one mile,)	82 25
Grease for cars, ...	6 00
Add for use of auxiliary engine at Parr's Ridge, .	12 60
And we have as the total amount of the round trip,	$220 29
Being at the rate per ton per mile of . . .	0.670 cts.
To which add for wear and tear of railway at ¼ of a cent per ton per mile west of Harper's Ferry, and 45-100 of a cent per ton per mile east of Harper's Ferry, averaging on the whole distance, . .	0.337
And for contingencies, ...	0.100
Making the total cost per ton per mile, . . .	1.107
At 1½ cents per ton per mile, and 10 cents extra charge for transportation through the streets of Baltimore, the charge for conveying a ton of coal from the mines to the City Block in Baltimore would be	$2 92
And the annual net revenue of the company on the amount of trade assumed in this estimate	$38,789 10

At $1\frac{1}{3}$ cent per ton per mile and 10 cents extra, as in the former case for conveyance through the streets of Baltimore, the charge for transporting a ton of coal from the mines near Frostburg to the City Block in Baltimore, would be . . .	$2 61
And the annual net revenue of the Company on the same amount of trade	$22,306 20
The amount of investment in machinery to accommodate the trade above assumed, would be . .	$136,000 00

Most respectfully submitted,

JAMES MURRAY,

Engineer of Machinery and Repairs.

February 13*th*, 1844.

I have carefully examined the preceding estimates and have confidence in their sufficiency for the purposes intended.

BENJ. H. LATROBE,

Chief Engineer.

REVISED ESTIMATE

Of the Cost of Transporting Coal from the Mines to Baltimore with the Coal Car as recently improved—Distance 188 *Miles.*

This estimate supposes the employment of locomotive engines of 20 tons weight, cars weighing 2½ tons, with capacity to carry 7 tons of coal; that each engine will haul 182 tons of coal, that the cars are returned empty; that equal to four days are required to make a round trip; that six locomotives are required to keep four in constant service, and 300 working days during the year.

Estimated Cost of each Train per Round Trip.

Interest on 1½ times cost of locomotives and tenders at $9,450 each, per round trip of four days, .	$11 32
Repairs and renewals of locomotives and tenders, at 9 cents per mile, run with trains—376 miles, .	33 84
Fuel—15 tons of coal, at $2 per ton, averaged at Harper's Ferry, ...	30 00
Oil for engine and tender—6 gals. at 90 cents, .	5 40
Wages of Enginemen and Firemen, . . .	14 00
Do Brakemen, ...	9 00
Interest on 200 Cars, costing $340 each, . .	13 60
Repairs and renewals of Cars, at $\frac{225}{1000}$ of a cent per ton per mile of load hauled—34,216 tons, one mile,	76 98
Grease for Cars, ...	6 00
Auxiliary Engine at Parrs Ridge, ...	12 60
Making a total per round trip of . . .	$212 74
Being at the rate per ton per mile of . .	0.622 cent.
To which add for wear and tear of road, &c. .	0,324 "
And for contingencies	0.100 "
Making a total per ton per mile of . . .	1.046 cent.

JAMES MURRAY, *Engineer, &c.*

October, 1844.

REVISED ESTIMATE

Of the Cost of Transporting Coal from Cumberland to Dam No. 6 on the Chesapeake and Ohio Canal, with the Coal Car as recently improved—Distance 45 Miles.

This estimate supposes the employment of locomotive engines of 20 tons weight; cars weighing $2\frac{1}{2}$ tons, with capacity to carry 7 tons of coal; that each engine will haul 217 tons of coal, that the cars are returned empty, that one round trip is made per day by each engine; that three locomotives are required to keep two in constant service, and 250 working days during the year.

Estimated Cost per Day of one Train.

Interest on $1\frac{1}{2}$ times cost of locomotives and tender per working day (the cost of engine and tender being $9,450)	$3 40
Repairs and renewals of engine and tender, at 9 cents per mile, run with trains—90 miles per day, .	8 10
Oil for engine and tender—$1\frac{1}{2}$ gallons at 90 cents, .	1 35
Fuel—3 tons of coal, at $1 per ton, . . .	3 00
Wages of Enginemen and Fireman, . . .	3 50
Do Brakeman, ...	2 25
Interest per working day, on 75 coal Cars, costing $340 each,	6 12
Repairs and renewals of Cars, at $\frac{225}{1000}$ of a cent per ton per mile of load hauled—9,765 tons one mile, .	21 97
Grease for Cars, ...	1 50
Making a total of	$51 19

Being at the rate per ton per mile of . .	0.524 cents.
Add for wear and tear of road, bridges, &c. .	0.237 "
And for contingencies, ...	0.100 "
Total cost per ton per mile, ...	0.861 cents.

JAMES MURRAY, *Engineer, &c.*

October, 1844.

REPORT

OF THE

BALTIMORE AND SUSQUEHANNA

RAIL ROAD COMPANY.

To Col. Jacob G. Davies,

Mayor of the City of Baltimore:

The President and Directors of the Baltimore and Susquehanna Rail Road Company, have the honor to submit the annexed statements of the operations of the company for the year ending on the 30th September, 1844.

The general financial condition of the company, the receipts and disbursements for the year, and the revenue and expenditures of the transportation department for the same time, are respectively shewn in the tables numbered 1, 2, and 3. The tabular appendix gives an analysis of the principal items of cost of running the trains for each mile passed over by the locomotives. On comparing these statements with those of the previous twelve months, it will be seen that during the last year there has been an increase in the number of passengers transported over the road of 14,162; and in the quantity of produce and merchandise, of 56,105,739 lbs. or 29,052 tons. The aggregate increase in the revenue from transportation is $28,620 08; and the increase in the expenditures charged to that department is $28,211 33.

The amount of trade passing over the road to and from the numerous freight lines between Columbia and Pittsburg, has been greater than at any former period, and exceeds by forty-five per cent. that of the year preceding. The actual quantity transported was,

From Baltimore, - -	6,744 tons	63 lbs.
To Baltimore, - -	11,871 tons	481 lbs.
Total, - - -	18,615 tons	544 lbs.

The steady increase in the trade between Baltimore and Pittsburg, over this route, is shewn by the following statement of the amount transported in each year, since the completion of the road, viz:

To September, 30, 1839,	4,105 tons	1,502 lbs.
" " 1840,	6,854 "	396 "
" " 1841,	7,734 "	450 "
" " 1842,	9,076 "	904 "
" " 1843,	12,776 "	1,686 "
" " 1844,	18,615 "	544 "
Total in 6 years, -	59,162 tons	1,482 lbs.

The amount paid into the treasury of the State, during the year, on account of interest, was $20,000.

A portion of the increased expenditures of the transportation department, embrace in the items of repairs of locomotives, of cars, of road, and of bridges, cost of fuel, oil, &c., and other expenses of running trains, is strictly due to the augmented business of the road. The locomotives having run within the year 156,392 miles, or 19,587 miles more than the previous year, the aggregate cost of running trains has been greater. So also, the cost of necessary alterations to locomotives, amounted on the 1st of October, to $5,250. These alterations have been such as to change the character and class of several of the engines ; and in fact to make them more efficient and better in all respects than when they were first put in operation. Had the expenditure required for this purpose not been incurred, the operations of the road could not be carried on to their present extent, without the purchase of additional motive power at a much higher cost. The cost of repairs of the road, and of cars would, however, have been, without any increase in the trade, greater last year than previously. Many of the burthen cars, from decay, required extensive repairs, and several were almost entirely rebuilt. From the decay of the sleepers or cross-ties in the road, it was necessary, to preserve the track in proper order, that a large quantity of new timber should be substituted for that which had become unsound.

Among the expenditures enumerated in table No. 2, as not properly chargeable to the transportation department, is one of $11,980 49 for new burthen cars. The call on the company to furnish cars, principally for the accommodation of the way trade, has continued to increase, in consequence of the more general use of lime for agricultural purposes, along the whole line of road and its vicinity.

For the reasons stated in their last report, the board felt bound by the provisions of the acts of the Legislature, to extend to this trade, all the accommodation in their power, although they were unwilling to take from the transportation revenue of the year, the amount required to supply the requisite number of cars. They have, therefore, had built by contract, thirteen six wheeled cars, costing $3,770, on a credit for such a length of time that the use of the cars themselves will have probably yielded to the company the entire amount of their cost, before the period will arrive of which payment for them is to be made. There have also been built twenty-four six wheeled cars at the company's depot, by the hands in their employ, who were occupied

in building cars whenever not actually engaged in making repairs to cars and engines.

The amount of bills payable, outstanding	1st October 1843, was	$8,706 83
" " " "	1st October 1844,	6,895 05
Making a difference of		$1,811 78

Of the above amount outstanding on the 1st October 1844, there were issued for account of the Wrightsville, York and Gettysburg Rail Road Company as heretofore explained, and still outstanding, ... $2,787 55
For 13 new Burthen cars, as above, ... 3,770 00
For the purchase of real estate within the limits of the city, affected by the construction of the rail road. . . . 337 50

$6,895 05

The cost of repairs of bridges will, it is feared, amount to a large sum during the present and succeeding years. Those over the Beaver dam and the Western run, in Baltimore county, of the spans of 80 and 100 feet respectively, were so much injured by decay of the timber, that it has already been found necessary to take them down, and entirely to rebuild them. This work is now on the eve of completion. A contract has also been made for rebuilding, in the spring, the largest bridge on the road, at the first crossing of the Gunpowder; and the timber taken from it will be used, so far as it is sound, and can be made available, in the repairs of other bridges of smaller span. In this mode the repairs of all can be most economically made; but it is apprehended that, including the work already done, the cost that will have to be incurred by the 1st of January 1846, cannot safely be estimated at less than $30,000. The payments for a part of this work, however, may, if desirable, be postponed until the spring and summer of the year eighteen hundred and forty-six. Notwithstanding, however, the foregoing anticipated expenditures during the current year, the board have reason to believe that they will be enabled before its close, to make further payments to the State, the amount of which they trust will not be less than was paid during the last. Indications are already given of a continued increase in the business of the road, the revenue of which since the 1st of October last, has considerably exceeded that received in the corresponding period of the year eighteen hundred and forty-three. The establishment of a new depot which is now making in the city by another Pittsburg Transportation Line, preparatory to the resumption of canal navigation in the spring, is one among the circumstances which give grounds for the belief that the western trade over the road will also this year, considerably exceed in amount that of the past.

Since the last annual report of the company, no work has been done on the Westminster branch of the rail road, further than to keep it in

such a state of repair as to permit light passenger cars, drawn by horses, to be used on it in the summer season. The board have been unwilling to incur the expenditure that would be required to renew the superstructure throughout; and unless this were done, the track could not be made suitable for the transportation of produce and merchandise. The condition of this road continues to be a source of complaint on the part of those who would have an opportunity of benefiting by the accommodation it would, if in proper order, afford to the district of country through which it passes.

The board regret to find, that although the trade of Baltimore with the extensive regions to which the rail road to Wrightsville gives access, continues regularly to increase, it is yet far from having attained sufficient magnitude to give full and profitable employment to both the rail road and the canal from Columbia to Havre de Grace. These works have all been constructed to connect with the Pennsylvania improvements at Columbia; and the hope has been heretofore expressed, that the developement of the resources of the country for whose productions they afford avenues to market, might be so rapid, as in a short time to require them all. It is now apparent that this has not yet been the case; but the board trust they will be excused in expressing, as an act of justice to those who projected and urged to completion the Baltimore and Susquehanna Rail Road, the full conviction which is now felt, that had this remained, (as until long after it was undertaken, there was every reason to suppose it would) the only work of internal improvement connecting the city of Baltimore with the Susquehanna river, the results of the enterprise would have been as gratifying in a pecuniary, as they have been valuable in a commercial point of view.

By order of the board,

CHARLES HOWARD, *President.*

Office, Baltimore and Susquehanna Rail Road Co.

December 16, 1844.

[No. 1.]

A CONDENSED FINANCIAL STATEMENT

Of the Baltimore and Susquehanna Rail Road Company, to the 4th October, 1844.

RECEIPTS.		
From Capital Stock, - - - -	$450,000 00	
Loans, State of Maryland, - -	1,884,045 29	
do City of Baltimore, - - -	850,000 00	
Net transportation from Baltimore and Susquehanna and York and Maryland line Rail Roads. - - - -	208,562 93	
Net transportation from Wrightsville, York and Gettysburg Rail Road, - -	38,771 13	
Fines for neglect of private switches, -	150 00	
Sales of old Iron, - - -	1,677 47	
		$3,433,206 82
EXPENDITURES.		
For Old Road, - - - - - -	$396,274 23	
Stock, York and Maryland Line Rail Road Company, - - - -	199,265 00	
Stock, Wrightsville, York and Gettysburg Rail Road Company, - - -	121,205 37	
Loss on sales of Stock, - -	18,421 72	
Interest to State, - - - -	151,590 59	
Interest to City, - - -	57,500 00	
Discount, - - - - - -	46,658 40	
Patent Rights, - - - - -	4,953 89	
Depots, Water Stations and Real Estate,	55,654 01	
Machinery, Snow Ploughs, &c., -	4,267 72	
Locomotives, - - - - -	107,470 04	
Passenger and Burden Cars, - -	116,144 20	
Ground Rents, - - - - -	1,329 65	
Construction of Road, Baltimore to York,	1,958,411 92	
		3,239,146 74
Amount forward, - - -		$194,060 08

Amount forward, - - -			$194,060 08
FUNDS.			
Cash and Agents, - - - -		$7,149 59	
Bank and City Stock, - - -		1,863 05	
Outstanding Transportation, - - -		15,239 62	
Bills Receivable, and Baltimore and Susquehanna Rail Road Stock, - - - -		31,708 10	
Wrightsville, York and Gettysburg Rail Road Company, - - - - -		147,617 20	
Total funds, - - - -		$203,577 56	
DEBTS.			
Company's notes, $5 and $10, - -	$20 00		
$1 and $2, -	262 00		
Bills Payable, -	6,895 05		
Sundry creditors, - - - -	2,340 43		
		$9,517 48	
			$194,060 08

ROBERT S. HOLLINS, *Sec'ry.*

[No. 2.]

RECEIPTS AND EXPENDITURES

Of the Baltimore and Susquehanna Rail Road Company, for the year ending October 4, 1844.

RECEIPTS.		
Amount of funds, (available and otherwise, October 1843,) as per annual statement, - -		$208,205 16
Received from Bills Payable, issued, -	$9,289 59	
Received from gross Transportation from Baltimore to Columbia, (as per statement No. 3.)	148,016 82	
Received from old Iron, sold, - - -	1,677 47	
Received from Wrightsville, York and Gettysburg Rail Road Co., - - - -	1,750 08	
Received from sundry sources, - -	357 04	
		161,091 00
		$369,296 16
EXPENDITURES.		
For Expenditures chargeable to transportation, (see No. 3,) - - - -	$114,449 49	
Interest to State, - - - -	20,000 00	
Bills Payable, - - - -	11,101 37	
Patent Rights, - - - -	69 00	
Damages, Right of Way, - -	922 24	
Ground Rents, - - - -	474 99	
Legal Expenses, - - -	158 85	
Real Estate, - - - -	727 12	
Burden Cars, 37 (6 wheel cars,) -	11,980 49	
Machinery for Depots, - - -	1,936 45	
York and Maryland Line Rail Road Co., old debts, - - - - -	3,898 60	
		165,718 60
Balance on hand, being amount of funds as shewn in statement No. 1, - - - -		$203,577 56

ROBERT S. HOLLINS, *Sec'ry.*

[No. 3.]

THE REVENUE AND EXPENDITURES

Of the Transportation Department of the Baltimore and Susquehanna Rail Road Co., from October 4th 1843, to October 4th, 1844.

REVENUE.		
Passengers, No. 49,347, - - - -	$36,827 87	
Merchandize, 162,032,672 lbs., - -	85,721 95	
United States Mail, - - - -	5,362 43	
		$127,912 25
Transportation, Wrightsville, York and Gettysburg Rail Road Co.		
Passengers, No. 13,411, - - - -	5,377 89	
Merchandize, 68,822,373 lbs., - -	13,654 18	
United States Mail, - - - -	1,072 50	
		20,104 57
Total transportation for the year, - -		148,016 82
To which add outstanding as per last report, -		13,307 86
		161,324 68
Of which there has been collected from Passengers and Burden, - - - -	139,838 49	
From Post Office Department, - -	6,246 57	
		146,085 06
Leaving outstanding, - - - -		15,239 62
Being for Merchandize and Passengers, - -	13,489 62	
	1,750 00	
	15,239 62	
Gross Revenue, as above, - - -		148,016 82
EXPENDITURES.		
Salaries, President, Secretary and Clerk, -	3,625 00	
Repairs of Rail Road, - - -	22,298 14	
Repairs of Locomotives: Repairs, $8,380 12,— Alterations, $5,250 00, - - -	13,630 12	
Amounts forward, - -	$39,553 26	$148,016 82

Amounts forward, - - -		$39,553 26	$148,016 82
Repairs of Passengers Cars, - -		2,038 52	
Repairs of Burden Cars, - - -		7,687 80	
Repairs of City tracks, - - -		996 99	
Repairs of Bridges, - - - -		938 47	
Repairs of Water Stations, - - -		27 43	
Pay Rolls, Officers and others, with trains, -		30,976 33	
Horse Department, - - - -		5,655 94	
General Expenses, - - - -		1,171 07	
Printing and Advertising, - - -		476 35	
Preservation of Timber, - - -		218 07	
Kianizing of Timber, - - -		1,001 03	
Columbia Bridge Tolls, - - - -		2,622 99	
Office Expenses, - - - -		446 58	
Insurance, - - - - -		504 30	
Taxes, - - - - -		123 22	
Tolls, Wrightsville, York and Gettysburg Rail Road Co., - - - -		12,419 84	
Fuel, - - - - - -		7,591 30	
			114,449 49
Net Revenue, - - -			$33,567 33
Expenditures, 1843, - -	$86,238 16		
do 1844, - -	114,449 49		
		28,211 33	
Gross Receipts, 1843, - -	$119,396 74		
do 1844, - -	148,016 82		
		28,620 08	
		$408 75	
Net Revenue, 1843, - -	$33,158 58		
do 1844, - -	33,567 33		
		$408 75	

ROBERT S. HOLLINS, *Sec'ry.*

APPENDIX.

Total expenditures as per statement No· 3, -			$114,449 49
To which add expenditures on the Wrightsville, York and Gettysburg Rail Road, viz:			
Salaries, President and Secretary, - -		$1,000 00	
Repairs of Track—for Labor, -	$2,924 39		
do do for Sleepers, -	3,414 15		
do do for Bridges, -	975 00		
		7,313 54	
			8,313 54
			$122,763 03
Deduct the following items in No. 3, not connected with running of Locomotives, viz:			
Tolls, Columbia Bridge, - - -		2,622 99	
Tolls to Wrightsville, York and Gettysburg R. Road Co., - - - - -		12,419 84	
Horse Department, - - - -		5,655 94	
City Track, repairs, - - - -		996 99	
Alteration of Locomotives, - - -		5,250 00	
			26,945 76
Total expenditures connected with running Locomotives, - - - - -			$95,817 27

STATEMENT,

Exhibiting the operations of the Baltimore & Susquehanna, and Wrightsville, York, and Gettysburg Rail Road Companies, during the last three years,—ending October 4th, 1844.

	1842.		1843.		1844.	
		Cents per mile.		*Cents per mile.*		*Cents per mile.*
Number of miles run by Passenger Trains,	46,530		45,539		45,236	
" " " Burden Trains,	81,819		91,266		111,156	
Aggregate number of miles run by Locomotives,	128,349		136,805		156,392	
Repairs of Locomotives,	$7,193 50	$5\frac{61}{100}$	$8,087 92	$5\frac{91}{100}$	$8,380 12	$5\frac{36}{100}$
" Passenger Cars,	1,517 53	$3\frac{26}{100}$	2,118 16	$4\frac{65}{100}$	2,038 52	$4\frac{50}{100}$
" Burden Cars,	4,659 75	$5\frac{69}{100}$	4,305 27	$4\frac{71}{100}$	7,687 80	$6\frac{91}{100}$
" Roads and Bridges,	15,738 22	$12\frac{27}{100}$	22,117 39	$16\frac{16}{100}$	31,769 25	$20\frac{31}{100}$
Fuel, Oil, and other expenses,	46,115 69	$35\frac{93}{100}$	36,800 69	$26\frac{90}{100}$	45,941 58	$29\frac{37}{100}$
Total expense running Trains,	75,224 26	$58\frac{61}{100}$	73,429 43	$53\frac{67}{100}$	95,817 27	$61\frac{33}{100}$
Receipts from Passengers,	42,047 48		35,727 94		42,205 76	
" Tonnage,	89,373 98		77,384 81		99,376 13	
" U. S. Mail,	6,246 49		6,283 99		6,434 93	
Aggregate receipts,	137,667 95		119,396 74		148,016 82	

REPORT

OF THE

COUNSELLOR FOR THE CITY.

To Jacob G. Davies, Esqr.,

Mayor of the City of Baltimore :

The undersigned, Counsellor of the city, respectfully reports, that of the two cases reported by his predecessor as pending before the Court of Appeals of this State : one, that against Dr. J. C. White has been dismissed by him under authority of the Resolutions No. 105, page 71, of 1844. The other against Mr. Henry White, is the only one now pending in that court ; it is expected to be argued early in January, 1845. The two cases in the County Court against Messrs. Oelricks and Lurman, and Messrs. Dobbin and Saunders, mentioned by his predecessor were, as he believes, disposed off by him. The case against Mr. William G. Harrison was stricken off by the undersigned, under the authority of Resolution No. 113, page 75, of 1844. The only other two suits pending in that court at the time of his predecessors report, were those against the Equitable Insurance Company, and the Fell's Point Savings Institution. These cases have not been under his charge, as the former was deferred upon an opinion of his given before his appointment to his present office, and the other involved precisely the same principle;—they are both yet undecided, and both expected to be tried at the January term. The only new case brought upon the common law side of the County Court is a case against Mr. Seidenstricker, the late collector, for an alleged illegal distress, brought during the present year, by a Mr. Balderstone. In the case of the decree against the city at the suit of Mr. Robert Gilmor, no appeal has been taken; the case having been settled under the authority of Resolution No. 61, page 58, 1844. There is now no case in equity depending, in which the city is a party.

On the appeal docket of Baltimore county Court there are but two cases ; one brought by a nightman against Mr. Jones ; the nightman had acted under the authority of his superiors, and Mr. Jones refused payment, contesting that authority. It is the same question as arises in Jones against the city in the City Court, for which reason I have appeared in the case in behalf of the city. The other case is an appeal brought by the city to reverse a judgment of Mr. Justice Shaeffer in favor of a Mr. Chaney. Mr. Chaney was one of the police officers of the city,

and was dismissed by the present Mayor soon after he came into the office. Mr. Chaney has been advised by respectable legal authority, that the Mayor had no right to dismiss him, because that right is *exclusively* vested in the High Constable by the ordinance of 1838, No. 45, sec. 4, page 112. As it is very clear to the undersigned, that the right of dismissal given to the High Constable, is not exclusive, he has advised an appeal.

There is one case on the law docket: the appeal of Robinson against the city, mentioned in the report of the late city counsellor. In this case a jury trial was prayed for the appellant, and on the trial of the case before Judge Legrand, a verdict was, under his direction, and with the general approbation of the bar, found for the city; but a question has been reserved for the consideration of the whole court, which has not yet been argued. In the City Court the cases against Messrs. Early and Philips have been discontinued by the late counsellor, under the authority of the resolutions of the Mayor and City Council. The undersigned transmit herewith a docket of the city's cases in the City Court, furnished him by the clerk of the court. They appear to be twelve in number, but are in reality only ten. No. 2 seems to be there by mistake. No. 9 appears to have been stricken off, being one of the cases just mentioned.

There have been no other decisions by any of the superior courts touching the interests of the city; or the construction of her powers and ordinances, except perhaps in one instance. Several warrants were brought against the city for a months wages, each by persons employed in cleaning out the harbor, alledging that they had been engaged by the month, by the person who had charge of the mud machines, under the late city commissioners. The magistrate having given judgment against the city in all the cases, appeals were, by the direction of the undersigned, and that of the late Mayor, taken to Baltimore County Court, where the judgments were affirmed. The principle of law supposed to be settled in these cases is, that the officers of the corporation while ever they continue in office, have power to bind the city by contracts within the ordinary scope of their authority. The counsellor for the city takes the liberty of saying, that he never doubted this as a proposition of law, and took the appeals upon the supposition that their existed facts in these particular cases which would shew that the men had been fraudently employed when there was no occasion for their services, or at least out of their known and usual course of business. This view of the facts was not sustained by the evidence. No notice in his own judgment need have been taken in this report of these cases, but as they have been by some persons supposed to decide a principle, he has thought it better to mention them. Two decisions by justices of the peace ought perhaps to be mentioned. Under the ordinance No. 15, 1844, page 18, a warrant was issued against Mr. B. J. Cohen for refusing to permit his office to be numbered; the magistrate, Mr. McDonald, sustained the ordinance, and the defendant appealed; the case is now in the city

Court. One of the judges of election at the presidential election warranted the city before justice Shaeffer for two dollars a day pay, under ordinance No. 2, page 9, of 1838. The magistrate gave judgment against the city, but the sum being too small for an appeal, none could be taken, although the opinion of the undersigned is very strong that the ordinance relates only to "elections for corporation purposes."

HUGH DAVEY EVANS,
Counsellor for the city of Baltimore.

December 28, 1844.

APPEAL DOCKET,

Anno Domini, 1844—*In Baltimore City Court.*

The Mayor & City Council of Baltimore *vs.* John Glenn.	Transcript of record for A. A. county Court and that court's order, filed 9th of May 1835.
Negro Julianna Baily *vs.* John Anderson.	Procedendo and record from Court of Appeals, filed 25th July 1835.
Mayor & City Council, and Daniel Myers, (informer) *vs.* Hugh Dowling.	Debt $500, nar filed, copy sent, appearance, rule plea, plea nil debit filed, replication and issue.
James Macready *vs.* The Mayor & City Council of Baltimore.	Appeal from the judgment of Nathan Warfield, Esq., $5 fine; 14th Nov 1842, and $1 02, bond and judgment filed.
Nicholas S. Jones, *vs.* Same.	Appeal from the judgment of Peregrine Gorsuch for $20 fine, with interest, bond and judgment filed, petition 2d October, 1843, appearance.
John Connor, *vs.* Same, and M. Jeffers informer.	Appeal from the judgment of A. Miltenberger, Esq., for $20 debt, and $1 97 cents with interest, bond and petition filed 25th Nov. 1843.
Richard P. Sherwood, *vs.* Same, and H. Wilcox informer.	Appeal from the judgment of W. A. Shaeffer for $10 debt, with interest, and $3 72 cents cost, bond and petition filed 6th December 1843.
The Mayor, &c. *vs.* John Clark.	Debt $500.

The Mayor & City Council of Baltimore, *vs.* James Phillips, Sr.	Debt $500, appearance, rule plea, off without cost by city's attorney, January 27, 1844.
Same and Benj. Chaney informer. *vs.* Levi Hampton.	Appeal from the judgment of N. Cox, Esq., judgment of non suit for 62 cents, Mayor and City Council appeals by Benj. Chaney informer.
Benjamin I. Cohen, *vs.* The Mayor & City Council of Baltimore.	Appeal from the judgment of D. H. McDonald, Esqr., for $10 debt and 97 cents cost, bond filed, petition 2d Nov. subpœna issued summoned.
Moses Malone, *vs.* Same.	Appeal from the judgment of R. B. Tate, Esqr., for $10 debt, with interest, bond and judgment filed 11th Oct. 1844.

REPORT

OF THE

CITY COMMISSIONERS.

City Commissioners' Office,
Baltimore, January 3d, 1845.

To the Honorable the Mayor and City Council of Baltimore:

Gentlemen,

In obedience to the requisitions of the Ordinance appointing City Commissioners and Port Wardens, and prescribing their duties, approved May 22d 1838, we have the honor to lay before you the following report of our proceedings as City Commissioners for the past year, and for a view of the expenditures made by us respectfully refer you to the accompanying abstract marked A.

The appropriations made by the last Council were generally sufficient to carry out the laudable objects had in view; those however which related to the repairs of Belvidere bridge; to the paving of the side walk on the west side of Fells' Point Fountain, and to the erection of Dams in Harford run were insufficient for the purposes intended. With regard to Belvidere bridge, we have to observe, that, after stripping it, we found the arches in such a dilapidated condition, that, it was evident, without thorough repair, the whole structure would fall in a few months. With the view of preventing such a disaster, we secured the heels of the arches by letting in substaatial cast iron plates, which were so effectually bolted as to render the bridge as strong, if not stronger, than it was when first erected. The entire main floor being worn out we found it necessary to renew it. In the course of making which repairs, discovering that the appropriation would become exhausted before their completion, we reported to the then Mayor the precise condition of the remainder of the bridge, its side walks being so decayed as to render it imminently hazardous to pass; and as there was no other crossing place at that point of Jones' Falls, and the travel being great, it was deemed too important a thoroughfare to be dispensed with, the Mayor, therefore, directed us to proceed and make all necessary repairs, under the anticipated reliance that the Council would, at its next session, make an appropriction to cover the excess of expenditure, $666 20 cents, which remains unpaid. Before strip-

ping the bridge, it was impossible to make any accurate estimate of the probable cost of the repairs which might be required, and hence it is, that the one made by our predecessors, fell short of the actual sum requisite for that purpose.

With respect to the four Dams directed to be constructed in Harford Run, and the pavement on the side walk on the west side of the Eastern Fountain, we found the appropriations, respectively, inadequate to cover the cost of the contemplated improvements, and, therefore, felt it consonant with our views of duty, and to the interest of the city, not to commence either work, believing that as the necessity for the execution of them was not very urgent, that it would be better to leave the future action thereon to the wisdom of the Council at its next annual sassion, than to commence those works without the means of completing them.

We have the honor to report, that during the past season the public streets, lanes and alleys have been very thoroughly repaired, the curb stones reset and the gutters turned out, and it gives us pleasure to add, that these improvements, so essential to the comfort of our fellow citizens, have been effected at an expense to the city considerably within the appropriation.

The appropriation for the repairs of bridges has been within a small amount expended; and we deem it our duty to state that, owing to the large number of wooden structures within the limits of direct taxation, we consider it would be consistent with true economy to increase this appropriation, as, for want of means, we were compelled to make the repairs, in some instances, but partial, a proceeding not to be commended in structures so perishable as are wooden bridges, when it is to be recollected that the city is answerable for damages in cases of accidents arising out of their bad condition. In connection with this subject, we beg leave to state for the information of the Council, that the three inch oak plank purchased in 1842, under a resolution of the Council of that year, has all been consumed, and would respectfully suggest the propriety of making an annual appropriation for a similar object, as it is difficult to get plank for bridge purposes of proper length and thickness, and consequent loss and waste ensues.

We found ourselves unable to have the head of Smith's dock cleaned out agreeably to the directions of resolution No. 73, approved March 22d 1844, owing to the fact of Mr. Hankey being a yearly tenant, but to avoid a like inconvenience in future, under the advice of the Counsellor to the city, we served him with a notice to quit rent on the expiration of his present year—when the pier should be removed, as its erection creates a great nuisance, and is otherwise injurious to the pecuniary interests of the city.

The information required by Resolution No. 149, approved April 20, 1844, relative to the cost of certain property on the north side of Hanover Market House, and that of certain property on the west side of said Market House as far as Sharp street, we have obtained, the

estimates of which, together with a plot of the property required, is herewith transmitted.

The repairs of Hughes' street, as directed under resolution No. 43, approved March 11, 1844, were made early in the Spring, and we are pleased to be able to add, that the street is still in good condition.—But we will ask leave to recommend that a small appropriation should be made, to be expended early in the ensuing spring in extending the fence along the banks, as such precaution would relieve the city from an annual burthen.

New Fire Plugs were erected the past season at the following places, viz:

One at the corner of Second street and Exchange alley.

One at the corner of Pearl street and Peach alley,—and

One at the corner of Hanover and Hill streets,—and agreeably to the directions of resolution No. 119, we caused the fire plug to be removed from the intersection of Charles and Balderston streets to the Union Fire Company's Engine House.

The General Government having yielded its consent to the Lazaretto being appropriated for the purpose of accommodating Small Pox patients, rendered the purchase of a lot for the erection of a Hospital, under Resolution No. 124, unnecessary, agreeably to the stipulations of said resolution.

The Resolution No. 130, directing us to prepare plans for the erection of a City Hall, Watch House and Police Office, on the city property in South Gay street, we have not been able to carry into effect, from the want of time and means to procure the necessary information, the last Council having omitted to make any appropriation for that purpose.

As the last Council made no appropriation to carry the objects of Resolution No. 133, relative to Jones' Spring fully into effect, we were only able to ascertain that the proprietors are willing to sell the property to the city; they would not however fix upon any price, but will take whatever sum two arbitrators, one to be appointed by them, and the other by the city, may determine to be its value.

The Battle Monument, under resolution No. 60, approved the 15th of March 1844, was repaired; but an accident subsequently occurring, in the breaking of one of the marble posts and lamp irons, we proceeded, by the direction of the Mayor, to have the repairs made, which will cost about 85 dollars, for which an appropriation will have to be made.

Resolutions Nos. 26 and 52, relative to Chatsworth Run; resolution No. 103, relative to the sale of the materials of the Union Engine House; resolution No. 106, relative to the repairs of the Eastern Fountain; resolution No. 138, relative to Franklin square; resolution No. 139, relative to the fence around the public square on Loudenslager's hill; resolution No. 167, relative to repairs of the street at the east end of Gay street bridge; resolution No. 44, relative to the wall on Harford run from Wilk to Fleet street; resolution No.

146, relative to the repairs of Hanover Market House; resolution No. 69 for the grading and paving of Richmond market, and No. 137, relative to the Vine street sewer, have all been carried into effect.

In consequence of an application being in progress for the paving of Cross street, the money appropriated by Resolution No. 104, was not expended.

Resolution No. 150, relative to the repairs of the wall of Jones' Falls, we did not carry into effect, in consequence of the ground in front having been tenanted; and upon an examination late in the fall, when the tide had become low, we found the wall in much better condition than had been presumed. It will, with very slight repairs, last for several years.

We would respectfully suggest that the amount raised for the repairs of highways and bridges without the limits of direct taxation, is entirely too small to keep them in good order. Many of them have been for a long time, and are now, in very bad condition, and we would in deference submit the inquiry whether the interests of the city and comfort and convenience of the community, would not be promoted by increasing the amount raised by tax for that purpose.

All which is respectfully submitted.

JNO. N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
City Commissioners.

[A]

ABSTRACT OF EXPENDITURES

By the City Commissioners, *for the year ending with* 31*st December*, 1844.

WORK DIRECTED TO BE DONE.	Appropriation.	Drawn.	Undrawn.	Due.
Improving Jones' Falls,		$1,000 00		
Repairs of Unpaved streets,	$500 00	296 72	$203 28	
Repairs of Public Wharves,	1,000 00	960 92	39 08	
Repairs of Richmond Market,	20 00	20 00		
New Fire Plugs,	525 00	250 00	225 00	
New Lamps and Removing Lamps,	600 00	360 31	239 69	
Repairs of Bridges,	1,300 00	1,293 41	6 59	
Repairs of Eastern Spring,	180 00	179 87½	12	
Repairs of Pumps,	5,500 00	4,688 26½	811 73	
Dam on Harford Run,	75 00	29 03	45 97	$21 50
Repairs of Highways and Bridges without the limits of direct taxation, (Tax,)		1,311 88		
Repairs of Hughes street, Appropriation, $300 00				
Sales of Dirt from the bed of do (returned to Register,) 21 63				
	321 63	216 39½	105 23	
Walling of Jones' Falls,	720 00	130 98	589 02	
Road from Conway street to Carroll' Point,	50 00	47 37½	2 62	
Repairs of Sewers,	1,200 00	439 96½	760 03	24 56
Sewer from Vine street to Riemans' Tunnel,	160 00	153 75	6 25	
Tunnel at the intersection of Cove and Columbia streets,	260 00	260 00		

Tunnel on Chatsworth Run, from Saratoga to Pierce street, - -	1,530 00	1,530 00		
City's proportion for Repaving, - - - - - -	6,000 00	6,000 00		7,636 93
Repairs of Belvidere Bridge, (overdrawn $28 58½) - - -	1,000 00	1,028 58½		666 20
Repairs of Hanover Market House, - - - -	600 00	501 77	98 23	
Paving and Repaving Cross streets, - - - - - -	23,000 00	18,072 93	4,927 07	8,559 52
Repairs of Battle Monument, - - - - -	250 00	250 00		
Grading and Paving Richmond Market, - - - - -	600 00	599 93	07	
Repairs of Fire Plugs and Cisterns, - - - - -	900 00	436 92	463 08	312 28
Repairs of Paved streets, - - - - - - -	12,000 00	10,486 48	1,513 52	47 20
Repairs of Cross street, resolution No. 103, app'd April 21, 1843,	100 00	100 00		
Filling up Canal street, - - - - - - -	100 00	98 32	1 68	
Repairs of Gay street at the East end of the Bridge, - -	25 00	25 00		
Wall on Harford Run between Wilk and Fleet streets, - -	657 00	571 33	85 67	
Repairs of Public Square on Laudenslager's Hill, - -	150 00	144 85½	5 14	
Flag and Stepping Stones, - - - - - - -	600 00	536 99	63 01	
Repairs of the Fence of Franklin Square, - - - - -	25 00	19 40	5 60	
Repairs of Cross street, resolution No. 104, app'd April 10, 1844,	100 00		100 00	
Private Footways, - - - - - - - -		74 75		
New Wells and Pumps, (Tax,) - - - - - -		1,516 99		
Erecting 4 Dams on Harford Run, - - - - -	140 60		140 00	
Pump at the corner of North and Eager streets, resolution 110, 1844	75 00	75 00		

JOHN N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
City Commissioners.

PORT WARDENS' REPORT.

City Commissioners' Office,
Baltimore, January 3d, 1844.

To the Honorable the Mayor and City Council:

Gentlemen,

We beg leave to make the following report of our proceedings as Port Wardens.

Before being able to commence operations in the harbor, owing to their decayed condition, we found it absolutely necessary to rebuild one of the discharging machines; to make considerable repairs to the steam dredging machine, and slight repairs to the other machines, involving an extra expenditure of about eighteen hundred dollars. As soon as the repairs were completed, all the machines were set to work, and kept entirely engaged in deepening the harbor, until the 13th day of November, when, owing to the appropriation *proper* being nearly exhausted, the machines were laid up for the season, as we were unwilling to exceed in our expenditures the *annual* appropriation, although, we could, under the ordinance of 1839, have drawn upon the collections for work which had been done by the mud machines, amounting to $3,783 37½ cents. Thus influenced, and deferring to the judgment of the council by whom the appropriation had been made, we deemed it best to communicate with his honor the Mayor, through whom and the Register, we effected an arrangement in their individual capacities, by which we procured a credit of $2,000; but have only had occasion to use $1,301 07 cents; after deducting which, it will still leave $2,221 44 cents undrawn, the receipts of this office being added. To cover the amount thus drawn, an appropriation will be required to refund the same to Jesse Hunt, Esq.

Since laying up the machinery, we have been enabled to employ a portion of the hands, and the horses and carts, in removing and spreading the dirt from the wharves.

It gives us pleasure to inform the honorable the Council that the depth of water maintained in the harbor is as good as it has been for many years.

Great inconvenience and loss is experienced from the want of a proper place for the deposit of the sediment raised from the harbor, and as the city owns 90 feet on the Port Wardens' line, northwesterly from

the termination of the Fish House wharf, we would most respectfully recommend that an appropriation should be early made to have the same piled and logged, in order that it may be used as a place of deposit the coming season, and that other property be procured, piled, and logged, at as early a period as practicable, to be used for a similar purpose.

Of the present condition of the several machines, we would remark, that one of the two horse dredging machines has been hauled up on the ways, being in a very decayed condition, and will require to be rebuilt: that the steamer is undergoing extensive repairs, having been found to be too leaky for service, and the sides requiring graving and caulking. The machinery of the incline plane will require being partially renewed. One of the discharging machines is also very much decayed, and should be subjected to thorough repairs, as it would not be safe to trust her in the harbor another season in her present condition.

The resolutions relative to Albemarle dock, Lancaster street bridge and Pratt street wharf, at its intersection with Light street have been severally carried into effect.

We have collected and paid over to the register, during the season, for work done by the mud machines, in deepening private docks, $3,783 37½ cents, portions of which were for the years 1840, 1841, 1842 and 1843.

We sold scrap iron and other useless articles, amounting to the sum of $226 91½ cents, which was paid over to the register, and will appear in our abstract marked B.

All which is respectfully submitted.

JNO. N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
Port Wardens.

[B]

ABSTRACT OF EXPENDITURES

By the Port Wardens, for the year ending on the 31st day of December, 1844.

WORK DIRECTED TO BE DONE.			Appropriation.	Drawn.	Undrawn.	Due.
Deepening and Improving the Harbor, general appropriation, - - - - - - -		$20,000 00				
Deduct special appropriations for Albemarle Dock, and Lancaster street wharf, - - -	$525					
For Pratt street wharf, - - - -	179					
		704 00				
		$19,296 00				
Add amount paid Jesse Hunt, Esq. Register, for hire of the Mud Machines, as per Ordinance 54, 1839, -		3,783 37½				
Add amount paid Jesse Hunt, Esq. Register, for sale of scrap iron, blind horse, gravel, &c., - -		226 91½	$23,306 29	$19,783 88	$3,521 41	
Piling and logging Albemarle Dock and improving Lancaster street, - - - - - - - -			525 00	333 94	191 06	$67 25
Repairs of Pratt street wharf, - - - - -			179 00	178 00	1 00	

JOHN N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
Port Wardens.

REPORT

OF THE

COMMISSIONERS OF HEALTH.

HEALTH OFFICE,
Baltimore, December 31, 1844.

To the Honorable the Mayor and City Council of Baltimore:

GENTLEMEN:

In conformity with the requisition of the forty-third section of an ordinance, approved May 22d, 1838, we have the honor to transmit herewith, statements of the disbursements made by us, of the several appropriations committed to our charge, and to respectfully make such suggestions and remarks as appear to us to be called for by the occasion.

As will appear by the annual report of interments for the year just passed, under the blessing of Divine Providence, our city has been peculiarly favored with exemption from all malignant and contageous diseases, and it is a source of gratification to us to report, that the increase in the number of deaths of the present year, over that of the last, is not greater than was to have been expected from our growing population.

We have paid due attention to the Public Springs, and used the necessary means to prevent injury to the water.

It gives us pleasure to be able to state that the public streets, lanes and alleys, have been generally kept in good order throughout the season, and that whenever any relaxations of vigilance have occurred, which were but seldom, that we have promptly applied the proper correctives, and always, with a single exception, with the best effects.

As the system of cleaning the streets by contract was an experiment, looking to *economy*, we felt it to be our imperative duty to give to it all proper care and attention, in order that it should be fairly tested; and, after the experience of the past season, we have no hesitation in saying that, besides being the cheapest, it is the best plan by which the streets have yet been cleaned, and we have as little hesitation in affirming, that they have, in no previous year, within our experience, been kept in better condition.

In the commencement of our operations in the spring, we had difficulty with the contractors for the first district. Our personal observation and inspection, as well as the repeated complaints made at this office, soon convinced us that the necessary attention was not paid to keep the streets, lanes and alleys in that district in satisfactory order; and after frequent, but ineffctual admonitions, having first obtained the opinion of the counsellor to the city, and the approbation of the Mayor, on the 13th day of June we caused a legal notice to be served on said contractors annulling the contract. From that period the streets in that district have been cleaned by hands employed by us, under the superintendence of Mr. Joseph F. Krager, and we are gratified to say, that since that time they have been kept in a cleanly condition; and we are the more gratified in being able to add, that, after deducting the actual and accruing receipts from the sales of the street dirt, the increase in the cost will be so trifling, if any, as not to be worthy of consideration. Indeed, we believe that the balance due for manure already sold, and that which is accumulating, when added to the undrawn balance of $997 52½ cents, will more than pay the demands under the system up to the first of March next, when the contract will expire. Before exercising the power granted us under the 6th section of ordinance No. 5, approved March 1, 1844, we used all the means within our power to bring the contractors to a sense of duty, and it was only when we despaired of so doing, that we annulled their contract; and that they were aware of the propriety of our action, will appear evident from the tenor of their receipt for the last payment made to them, of record in this office.

Up to the 31st December, our receipts for street dirt have been $540. Of this amount, $262 50 cents were the proceeds of sales in the first district since the 13th of June last, the remainder due by two individuals the preceding year.

As the abolition of the Board of Health, at the last session of the Council, and the developement of the duties theretofore performed by it, upon this board, was, like the change in the system of cleaning the streets, an experiment, it may be expected that we should communicate to the Mayor and Council our opinion of its adaptation to the object had in view by its founders, and under that impression we will proceed to give the results of our experience. In common with many others, on entering upon the discharge of the duties of the health department, we had our misgivings as to the successful working of the new system; but resolutely determined, that, if it failed, it should not be owing to any want of energy on our part, and that if an honest direction of our exertions to carry it into successful operation could secure that end, that those exertions should be zealously given. Independently of the obligations of duty, we were animated by the desire of doing all that in our power laid, of carrying the laudable intention of economy of the last Council into effect, and thereby contribute in our humble sphere, to the lessoning of the burthens of taxation upon our fellow citizens. In the execution of the duties of the health de-

partment, we have been very essentially aided by the efficient services of the High Constable, Deputy High Constable and police officers—which officers were made by the reform bill, auxiliaries to this board, and we discharge but an act of shear justice in declaring, that the success of the experiment is largely indebted to the prompt and cheerful co-operation which we have at all times, received from that branch of the city government. Although our duties as City Commissioners and Port Wardens have been heavy during the past season, and required much time and labor, those which we discharged in the health department have been infinitely greater than have been performed in more than twice the time during the preceding two years. And when we are borne out by our records, in making this declaration, we may be permitted to observe, that the experiment has worked well, and fully justified the most sanguine expectations formed of it by its friends and supporters.

It is obvious to us, independent of the saving to the tax payers, by the present organization, that the business of the health department, under the superintendence of the commissioners, through the aid of the *fourteen* police officers, can be better attended to, than it was when the whole duty was confined to *three* Commissioners of Health, as those police officers can, in their usual daily rounds, make the necessary examinations of premises without its materially interfering with their police duties—and as *fourteen* men are competent to perform more physical exertion than *three*, it follows, as a natural consequence, that the interests of the community will be better subserved by the present than under the old system. Reasoning and thinking thus, we venture to submit our suggestions to your consideration, in the confident belief, that it will receive from your enlightened minds every attention to which it may be entitled.

In reviewing the operations of our departments for the past year, we can perceive but one improvement that should be made, and that is, the appointment of an additional clerk. The duties of the office are more than can be advantageously performed by any single individual, however competent, or patient of toil, he may be ; for the success of all legal proceedings which may be instituted, for non-compliance with the requisitions made in either branch of our executive duties, will mainly depend upon the faithfulness and intelligence with which the record shall have been made up.

On coming into office in March last, we found the charge for the conveyance of vagrants and paupers to the Alms House a very heavy tax upon the city treasury, and that the plan was liable to great abuse. In the month of July we received a proposition from the Trustees of the Poor inviting a change, and being desirous of relieving the city treasury from an imposition so onerous, we consulted with the then Mayor upon the subject. Aided by his counsel, and justified by his sanction, we made an arrangement by which the paupers and vagrants are, twice a day, conveyed in a carriage belonging to the city, to the Alms House. By which arrangement, a very material saving will be

annually made. This arrangement did not commence until the 16th day of July last. By the abstract of monthly expenditures herewith transmitted marked A, you will perceive that so soon as the new plan had time to operate, that its results were as salutary as could be desired. Of the sum of $483 25 cents disbursed in the conveyance of paupers and vagrants to the Alms House, $135 50 cents were paid by the late Board of Health, in the months of January and February last; and on coming into office we found there were considerable outstanding claims for the conveyance of paupers unsatisfied. These were all paid, and served to swell the aggregate of our first months disbursements. There are instances where persons, who are brought to the Police office to be sent to the Alms House, are in too precarious and *delicate* a situation to await the arrival of the carriage from that institution—to meet such instances we gave orders to the High Constable and deputy, to use their own discretion in the employment of extra conveyances—and, in some extreme instances of suffering, we have authorized the procurement of refreshments. Of such character are the disbursements for the last few months,—and the smallness of the amounts, thus expended, show how wisely the discretion granted to these officers have been used.

We were the more anxious to lessen the burthen upon city treasury arising from this source, because, on examination of the city ordinances, we found there was no delegated authority for said disbursements, and that they rested solely on the law of custom—a law which, in our view, we considered "more honored in the breach than in the observance"—as safety is only to be found where the expenditures of the public money are guarded by salutary enactments, and should never, except in cases of extreme exigency, be made without the authority of law.

Of the probable saving to the city, we are not prepared to speak with certainty, but we believe it will be in all future time fully seventy-five per cent, as the driver, horse, and vehicle employed, do not cause any material additional expense to the Alms House, and the actual time employed is the only proper charge upon the city, which charge can bear no comparison with the large amount it has heretofore cost the city for this service.

All which is respectfully submitted.

JNO. N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
City Commissioners.

ABSTRACTS OF THE DISBURSEMENTS

FOR

THE HEALTH DEPARTMENT,

Removal of Nuisances and Cleaning of Streets.

HEALTH OFFICE,
Baltimore, December 31st, 1844.

To the Honorable
the Mayor and City Council of Baltimore:

GENTLEMEN,

We respectfully submit the following abstracts of the expenditures of the funds belonging to the health, nuisance and cleaning the streets departments of this office, entrusted to our disbursement.

Appropriation for the Health Department,		$3,500 00
Of which the following sums have been drawn:		
For Bargemen's wages, repairs of Health Officers, barge, office rent, &c.,	$873 75	
For interments in the Eastern Potter's Field,	286 00	
For interments in the Western Potter's Field,	230 75	
For collecting interments, &c., (due $12 50)	137 50	
For conveying vagrants and paupers to the Alms House,	483 25	
For vaccination, ($120 due)	720 00	
For sundries,	124 39	
		$2,855 64
Leaving an undrawn balance of		644 36
Appropriation for removing nuisances,		$900 00
Of which there has been drawn:		
For removing nuisances from streets, lanes, alleys, wharves and sewers,		834 45
Leaving an undrawn balance of		64 55
Appropriation for cleaning streets under contract,		$5,685 00
Received for sale of street dirt,		540 00
		$6,225 00
Of which there has been drawn,		5,227 47½
Leaving an undrawn balance of		$997 52½

Note.—The sum of $51 has been received by this Board for interments in the Eastern and Western Potter's Fields during the present year; the disbursement of which will appear by the Clerk's account current, transmitted herewith.

For the following payments made by the old Board of Health, under the old system of cleaning the streets, in anticipation, an appropriation will have to be made, as the last Council omitted to include them in the general appropriation bill, viz:

1844—Feb. 1.	Order on the Register in favor of R. H. Bradley,	$806 75
Feb. 29.	" " "	1,017 62½
		$1,824 37½

All which is respectfully submitted,

JOHN N. MURPHY,
GEORGE A. DAVIS,
JOHN IJAMS,
City Commissioners.

MONTHLY STATEMENT

Of the Cost of conveying Paupers and Vagrants to the Alms House.

Amount paid in		January,	$77 00
"	"	February,	58 50
"	"	March,	30 00
"	"	April,	98 50
"	"	May,	71 50
"	"	June,	59 00
"	"	July,	53 00
"	"	August,	7 50
"	"	September,	4 00
"	"	October,	3 00
"	"	November,	2 75
"	"	December,	18 00
Total,			$483 25

Respectfully submitted,

JNO. N. MURPHY,
GEO. A. DAVIS,
JOHN IJAMS,
City Commissioners.

HEALTH OFFICE,

BALTIMORE, January 1st, 1845.

REPORT OF INTERMENTS

In the City of Baltimore, from the first day of January, 1844, *to the first day of January,* 1845.

INTERMENTS.							OF THE FOLLOWING AGES.	
Months.	Males.	Females.	Total.	Colored.	Free.	Slaves.		
January,	98	127	225	42	38	4	Still-born,	214
February,	106	113	219	50	42	8	Under one year,	630
March,	114	115	229	43	36	7	Between one and two,	285
April,	131	120	251	54	47	7	" two and five,	363
May,	109	93	202	48	33	15	" five and ten,	158
June,	132	115	247	62	44	18	" ten and twenty-one,	161
July,	172	138	310	76	58	18	" twenty-one and thirty,	212
August,	146	129	275	55	45	10	" thirty and forty,	262
September,	135	102	237	58	47	11	" forty and fifty,	222
October,	100	101	201	42	34	8	" fifty and sixty,	126
November,	121	94	215	44	41	3	" sixty and seventy,	110
December,	127	141	268	63	47	16	" seventy and eighty,	72
							" eighty and ninety,	42
							" ninety and a hundred,	13
							Over a hundred,	9
Total,	1491	1388	2879	637	512	125	Total,	2879

OF THE FOLLOWING DISEASES.

Abscess,	1
Apoplexy,	23
Asthma,	12
Bite,	1
Bronchitis	6
Burns,	9
Cancer,	17
Casualty,	27
Congestion of the Bowels,	1
Child-bed,	29
Cholera Infantum,	129
Cholera Morbus,	7
Cholic,	1
" Cramp,	4
Consumption,	510
Convulsions,	73
Contusion,	1
Croup,	56
Delirium Tremens,	1
Diarrhea,	1
Disease of the Spine,	3
Disease of the Throat,	3
Dropsy,	58
Dropsy of the head,	50
Drowned,	27
Dysentery,	11
" Billious,	2
Dyspepsia,	3
Effects of wounds,	2
Exposure,	1
From drinking cold water,	1
From Blows,	1
Fever, Catarrhal,	75
" Nervous,	2
" Bilious,	43
" Intermittent,	3
" Conjestive,	4
" Remittent,	1
" Scarlet,	370
" Typhus,	19
" Gastric,	22
Gout,	1
Gravel,	3
Hernia,	1
Hemorrhage,	6
Hydrophobia,	1
Hydrarthosis,	1
Inflammation, of the bowels,	37
" " brain,	34
" " liver,	2
" " lungs,	21
" " stomach,	6
" " breast,	10
Infanticide,	4
Intemperance,	10
Jaundice,	5
Liver Complaint,	13
Lock-jaw,	3
Mania,	9
Measles,	1
Mortification,	5
Murder,	1
Old Age,	93
Organic disease of the heart,	30
Palsy,	21
Pleurisy,	54
" Bilious,	8
Quinsy,	1
Rheumatism,	5
" Inflammatory,	1
Scald,	1
Scrofula,	2
Still-born,	214
Strangulation,	1
Sudden,	12
Suicide,	5
Teething,	16
Tic Dolereux,	1
Thrush,	2
Tumor,	8
Ulcer,	1
Ulcerated Sore Throat,	1
Unknown, Adult,	82
" Infantile,	466
Visitation of God,	1
White Swelling,	1
Whooping Cough,	59
Worms,	7
Wounds by stabs,	2
Total,	2879

Among the deaths by "Old Age," there were one, supposed, to be 115, one 114, one 105, and one 104 years old.

The population of this city, according to the United States Census, in 1840, was 102,513, of which number, 21,192 were coloured persons, 17,980 free, and 3,212 slaves.

By order,

EDWARD P. ROBERTS, *Clerk.*

DR. *Edward P. Roberts, Clerk City Commissioners, in account with the Mayor and City Council of Baltimore.* CR.

1844.				1844.			
Oct. 4	To cash received from the Baltimore Infirmary for interments in the W. Potter's Field,		$10 00	Oct. 4	By cash paid J. HUNT, Esq., Register,		$10 00
Dec. 23	To cash received from the Washington College for interments in the Eastern Potter's Field,		20 00	Dec. 23	" " " "		20 00
	To cash received from J. W. Ringrose, for ground in W. P. Field	$2 00		Dec. 24	" " " "		16 00
	To cash received from Capt. Ferguson, for interring Captain Edward Austin,	5 00		Dec. 31	" " " "		5 00
	To cash received from L. Gittings, for interring a seaman on board the brig Midas,	5 00					
			12 00				
Dec. 24	To cash received of Dr. Thomas L. Murphy, being for the expense of interring three of the seamen of the Schr. Alicia, which arrived here with the Yellow Fever on board,	$18 00					
	Deduct the following charges:						
	Paid Dr. Murphy for his services,	$5 00					
	Paid J. E. Stansbury for hack hire,	2 00					
	Paid Deunis Johneon for aiding Dr. M.	3 00					
	Paid Wm. Morris for do. do.	4 00					
			$14 00				
			4 00				
Dec. 31	To cash received from the Baltimore Infirmary,		5 00				
			$51 00				$51 00

(ERRORS EXCEPTED.)

EDWARD P. ROBERTS, *Clerk.*

REPORT

OF

THE TRUSTEES FOR THE POOR

OF

BALTIMORE CITY AND COUNTY.

To the Mayor and City Council of Baltimore:

GENTLEMEN:

In conformity with an act of the General Assembly, passed December session, 1818, chap. 122, &c., the trustees for the poor of Baltimore city and county herewith present their annual report.

The following statement will show the amount of money received and expended on account of the city of Baltimore from the 1st January to 31st December, 1844, inclusive.

DR.

For city's proportion of articles purchased as food, clothing, fuel, &c. for supplying an average per month of 473 7-12 city paupers, and 2-3ds of 51 11-12 strangers - -	$11,002 64
For city's proportion of articles purchased as hospital stores for supplying an average per month, as above,	2,563 46
For city's proportion (7-8ths) of the cost of conducting the farm, after deducting the amount of sales therefrom,	1,436 67
For city's proportion (7-8ths) of the expense of the house, including salaries, repairs, wages and contingencies,	3,595 88
For this amount paid city pensioners, - - - -	1,375 00
For this amount paid city trustees, - - - -	534 00
For this amount paid donations (incidental relief) -	136 62
For this amount paid Equitable Insurance Company, &c.	85 44
	$20,729 71

CR.

By this amount due the city, as per last report,	$903 18		
By this amount received from Jesse Hunt, Esq., Register, being the city's proportion of the fund arising from the importation of foreign passengers into the port of Baltimore, -	1,883 76		
By this amount received from non-resident persons, - - - - - - - -	32 99		
By this amount received from city paupers, -	73 01		
By this amount received from Mayor and City Council, being the appropriation made for the expenses of 1844, - - -	$18,000 00		
		$20,892	94
From which deduct amount paid during 1844,		20,729	71
Balance due the city 1st January, 1845,		$163	23

RECAPITULATION.

Total amount of money paid during 1844, - -	$20,729	71
Deduct this amount, part of the expenses of 1843, having been paid during 1844, and included in the amount of $20,729 71, - - - - - -	1,095	01
Actual expenses of the year 1844, - - - -	$19,634	70

The increase of expenditure on the part of the city is $2,160 71 more than last year, ending December 31st 1843, whilst the average number of paupers has increased, and of the debts incurred during the year, but a small proportion remain unpaid, except that due to Mr. Jesse Slingluff, for 300 cords of oak wood, and which according to contract is to be paid for in the spring of 1845. It is judged proper also to state that a considerable amount of wood, coal, &c., remain on hand, and that the house has been provided with two new steam boilers, a large additional quantity of clothing, coverlids, &c., for which reason the trustees believe that a sum equal to that expended, during the present, will be fully sufficient to meet the expenses of the ensuing year, and would, therefore, ask for an appropriation of $18,000 00. During the past summer, it was deemed expedient to change the diet of the house, not only with a view to promote the health of the inmates, but as an act of justice to the laboring hands, and although the measure made it necessary to increase the amount of purchases, the result has proved that more labor has been performed by the paupers, and, that in every respect the expectations of the trustees have been fully realised.

About the same time also, the mode of conveying paupers to the Alms House was altered, and it is believed with great benefit to the institution. All vagrants committed by magistrates and many infirm

paupers, had cost the city $1 each for conveyance, and the trustees believing that in many instances gross impositions had been practised, resolved, with the consent of the Mayor, to send a carriage twice daily to the police office for the transportation of these classes of individuals, and by reference to the annexed tables, it will be seen, that not only has the expenses been saved, but that the number of admissions, each month since September, has been less than in the corresponding periods of last year, a result attributed entirely to the adoption of this measure.

Since the last annual report, several valuable improvements have been made upon the premises, among which may be mentioned a large basin for the fountain in front of the main building; a sewer 250 feet in length; a straw barrack adjoining the mill 90 feet long and 40 wide, capable of containing from 60 to 70 tons of straw; a piggery 53 feet in length and 16 in width, to which is attached a yard, 40 feet square, well paved, and all built of stone; connected with this piggery, a house 30 feet by 12 has been erected to receive the slops which are constantly accumulating, and which by the aid of a steam boiler, may be converted into a valuable food for the hogs.

There has also been erected on the foundation of an old building, stabling sufficient for 24 cows and 12 horses, which is also of stone, and measures 157 feet long and 19 wide, and having an upper story to contain about 20 tons of hay, so that the stacking will be unnecessary as well as exposure to inclement weather—a large proportion of this work has been done by paupers.

There are several subjects connected with the institution, to which the trustees would call your serious attention, believing that the laws in relation thereto, ought to be repealed, or materially modified.

By act of Assembly, passed November 1773, chapter 30, entitled an act for the relief of the poor within the county of Baltimore, it is enacted that there shall be an Alms and Work House, erected, "built and set up in the said county," and by section 19 of the same act, any one magistrate is authorised to commit disorderly persons to the said work house for a limited period of time, and not only the original act, but others passed subsequent thereto, all contemplate the erection of such a building in connection with the Alms House; this has never been carried into effect; a large number of vagrants, and disorderly persons, by virtue of this act, have been committed, and the consequence is, not only that the virtuous poor are compelled to mix undiscriminately with the vicious and depraved, but the majority of the latter class are received in a most abject and offensive condition, and when restored to health and provided with good and sufficient clothing, embrace the earliest opportunity to elope. By reference to another part of this report, it will be seen, that the number of elopements, during the year were 785, and the execution of all the police regulations being vested in the overseer and matron, without any assistance other than that derived from paupers, few of whom, if any, can be trusted, it will be at once perceived that this is an inevitable result.

Again it will be observed, that of the whole number (1493) admit-

ted into the Alms House during the year, 532 (more than one third) were born out of the limits of the United States, and that 307 had resided for less than one year in the city or county of Baltimore.—Another class of paupers maintained in the Alms House, at the expense of the city and county, is made up of strangers from the several counties of the state, as well as from other states of the union, and it is respectfully suggested, whether such measures ought not to be provided as will prevent a necessity for such unjust taxation hereafter.

The situation of the lunatic poor, also requires consideration; there is no part of the institution which can be adapted to render them even comfortable, and although every kindness and care, which the situation admits of has been extended to them, yet under the circumstances, a cure is utterly hopeless; it is, therefore, earnestly recommended that an application be made to the Legislature for the passage of a law, providing for the maintenance of all the lunatic poor of the state in some institution specially designed for the reception of this class of unfortunate persons, and that, the expense be charged to the cities or counties to which they may respectively belong.

The trustees are also of opinion, that the interests of the institution imperiously require, that the laws relating to the appointment of trustees, be so amended as that the tenure of office of *all* will not expire at the same time.

In conclusion, it is but an act of justice to say, that the overseer and all the officers of the institution, have discharged their respective duties to the entire satisfaction of the board.

The table marked A, will show the number of persons, admitted, born, &c.
The table marked B, will show the birth places of the inmates.
The table marked C, will show the ages of the inmates.
The table marked D, will show the period of residence.
The table marked E, will show the habits of the inmates.
The table marked F, will show the quantity of clothing issued.
The table marked G, will show the work done by the inmates.
The table marked H, will show the monthly average.
The table marked I, will show the articles purchased.
The table marked K, will show the products of the farm.
The table marked L, will show the extra work done on farm.
The table marked M, will show the number of medical and surgical cases treated in the house.
The table marked N, will show the number in the house, and expenses of the same, for the last eleven years, for the city and county respectively.

All of which is respectfully submitted,

JAMES FRAZIER,
JOHN L. YEATES,
CHARLES M. KEYSER,
MATTHEW CLARK,
ISAAC KIRK,
WM. CROOKS,
TOBIAS E. STANSBURY.

[A]

TABLE

Showing the number of persons born, admitted, discharged, died, bound, and eloped, and the number remaining at the expiration of each month, from 1st of January, to 31st of December, 1844, inclusive.

DATE.	Admitted.	Born.	Discharged.	Died.	Bound.	Eloped.	Remaining
1844—January, ...	103	4	27	15	1	49	666
February, . . .	102		40	11	3	66	643
March, ...	111	6	113	16	1	127	515
April, ...	92	2	40	16	1	52	510
May, ...	153	4	43	14	3	66	541
June, ...	113	1	43	16	2	56	538
July, ...	135	2	52	18		65	530
August, ...	129		52	14		63	530
September, . . .	136	5	43	14		71	540
October, ...	146	2	38	22	2	69	557
November, . . .	119	2	40	19		61	554
December, . . .	125	1	21	12		40	607
	1464	29	552	187	13	785	6731

In the House, December 31, 1843, ...	651
Total ingress, ...	1493
	2144
Total egress, ...	1537
In the House, 31st of December, 1844, ...	607

[B]

TABLE

Showing the birth places of the persons admitted into the Alms House, from 1st of January to 31st December, 1844, inclusive.

Natives.		Foreigners.	
Alms House,	25	England,	32
Baltimore City,	360	Canada,	3
Baltimore County,	90	Wales,	1
Eastern Shore of Maryland,	141	Scotland,	7
Other parts of Maryland,	136	Ireland,	253
Maine,	4	Germany,	197
New Hampshire,	1	France,	18
Massachusetts,	6	Switzerland,	2
Vermont,	1	At Sea,	3
Rhode Island,	9	Holland,	1
Connecticut,	4	Italy,	1
New York,	26	West Indies.	3
New Jersey,	4	Denmark,	1
Pennsylvania,	65	Spain,	1
Delaware,	21	Prussia,	1
District of Columbia,	18	Sweden,	1
Virginia,	31	Africa,	1
North Carolina,	5	Norway,	1
Kentucky,	3	Portugal,	1
Ohio,	1	Unknown,	4
Louisiana,	3		
Missouri,	2	Total,	532
Georgia,	1		961
Florida,	1		
		Grand Total,	1493
Total,	961		

Of which number 350 were brought out at public expense, costing $332 25; 80 married men,—307 who resided less than one year in the City or County of Baltimore.

[C]

TABLE

Showing the Ages of the persons admitted into the Alms House, from 1st of January to the 31st of December, 1844, inclusive.

Born at the Alms House,	29	From 50 to 60 years,	130
Under 1 year,	32	" 60 " 70 "	71
From 1 to 5 years,	36	" 70 " 80 "	23
" 5 " 10 "	30	" 80 " 90 "	12
" 10 " 15 "	28	" 90 " 100 "	2
" 15 " 20 "	70	Over 100	1
" 20 " 30 "	333	Unknown,	20
" 30 " 40 "	407		
" 40 " 50 "	269	Total,	1493

[D]

TABLE

Showing the period of residence in the City or County of Baltimore, of all persons admitted into the Alms House, from 1st of January to 31st of December, 1844, inclusive.

Born at the Alms House,	29
Less than one week,	80
One week and less than one month,	60
One month and less than three months,	90
Three months and less than six months,	38
Six months and less than one year,	40
One year and less than two years,	39
Over two years,	627
Period of residence unknown,	40
Born in the City or County of Baltimore,	458
Total,	1493

[E]

TABLE

Showing the habits of the persons admitted into the Alms House, from 1st of January to 31st of December, 1844, inclusive.

Intemperate adults,	840
Temperate adults,	95
Habits of adults unknown,	403
Children of intemperate parents,	66
Children of temperate parents,	30
Children of parents whose habits are unknown,	59
Total,	1493

[F]

TABLE

Showing the quantity of Clothing issued to the Inmates, from 1st of January to 31st of December, 1844, inclusive.

DATE.	Pair Shoes.	Shirts.	Shifts.	Frocks.	Petticoats.	Pantaloons.	Rounds.	Vests.	Shawls & Handkerchiefs.	Pr. Stockings.	Caps.	Aprons.	Drawers.	Flannel Shirts.	Y'ds Muslin.	Domestic.	Flannel.	Coats & Cloaks.
1844.																		
January, ...	63	100	86	70	10	70	38	19	4	80	12	9	9	3	19	8	12¾	3
February, ...	35	92	46	36	10	31	12	16	3	56		7	3	3	21	16	2¾	2
March, ...	35	80	62	51	14	31	11	8	2	23	6	2	2	4	9	8	12	4
April, ...	43	80	62	51	12	42	16	12	5	34	4		3	3	16		8	5
May, ...	30	72	53	43	17	50	8	10	4	29	3	3	2	5	13		4	
June, ...	29	67	48	29	8	60	7	6	8	4	2	2		2	17	24	3½	
July, ...	33	81	35	27	3	70	2	4	2	12	7				6	28½	2¼	1
August, ...	41	70	25	29	2	47	7	2	1	14					7½	36	1¾	2
September, . .	22	88	36	28	1	78	6	8	2	26			4	4	5¾	8	5¼	4
October, . , . .	36	90	19	34	6	40	23	8	1	19	8		4	7	6¼	16	26¼	5
November, . . .	50	101	17	26	12	48	33	4	6	53	7	6	15	10	8½	48	8½	7
December, . . .	40	60	21	34	23	40	20	16	34	48	10	8	17	8	12	32	10½	6
	457	981	510	458	118	607	183	113	72	398	59	37	59	49	141	224½	97	39

[G]

TABLE

Showing the work done by the Inmates from the 1st of January to the 31st of December, 1844, inclusive.

917	square yards spinning and weaving, . .	$183 40
400	pair shoes made, . .	200 00
	do do repaired, .	226 25
1630	days carpenters work,	1,222 50
312	do painting and glazing,	234 00
130	do brick laying, . .	130 00
3744	do labour, ...	1,872 00
286	do Blacksmith's work,	286 00
	Tin work, ...	100 00
350	pair stockings, spun and knit, ...	132 00
120	towels, ...	1 20
3120	days washing and ironing,	390 00
94	Bed Sacks, ...	5 84
194	Sheets, ...	11 84
4	barrels Soft Soap, . .	4 00
619	Shirts, ...	61 90
470	Shifts, ...	25 20
240	Frocks, ...	32 60
46	Petticoats, ...	2 76
130	Handkerchiefs, . . .	2 60
51	Caps, ...	1 63
107	Pantaloons, ...	26 75
40	Roundabouts, . . .	10 00
12	Vests, ...	3 00
	Total, ...	$6,166 47

[H]

TABLE

Showing the monthly average of Persons in the Alms House, from the 1st of January to the 31st of December, 1844, inclusive.

DATE.	WHITE.			COLORED.			TOTAL.	WHERE FROM.			
	Men.	Women.	Children.	Men.	Women.	Children.		City.	County.	Elsewhere.	TOTAL.
1844—January, -	233	209	66	56	91	11	666	541	35	90	666
February, -	210	219	60	54	90	10	643	527	36	80	643
March, - -	159	175	55	40	78	8	515	417	34	64	515
April, -	156	175	49	39	79	12	510	425	34	51	510
May, - -	179	181	60	39	72	10	541	460	38	43	541
June, -	179	164	85	34	70	6	538	457	38	43	538
July, - -	194	178	59	34	59	6	530	464	36	30	530
August, -	193	179	61	30	64	3	530	459	37	34	530
September, -	182	192	63	33	67	3	540	469	32	39	540
October, -	202	184	68	36	63	4	557	491	32	34	557
November, -	200	178	69	42	62	3	554	472	33	49	554
December, -	221	181	75	48	79	3	607	501	40	66	607
	2308	2215	770	485	874	79	6731	5683	425	623	6731

12)6731

560 11–12 total average.

12)5683

473 7–12 city average.

12)425

35 5–12 county average.

12)623

51 11–12 strangers average.

[I]

STATEMENT

Showing the Articles purchased for the house from the 1st of January to 31st of December, 1844, inclusive.

Alcohol, for med. purposes, 70 gals.
Arrow Root, 84 pounds
Bristles, 1 pound
Buttons, 21 gross
Blacking, 4 dozen
Butter, 1,764 pounds
Blankets, 206
Bacon, Shoulder, 15,931 pounds
Hams, 1,367 pounds
Brushes, Hand, 12
Sweeping, 72
White Wash, 36
Shoe, 9
Scrubbing, 60
Flesh, 2
Pope, 1
Brooms, Corn, 60
Hickory, 84
Brandy, for med. purposes, 30 gals.
Barley, 10 pounds
Blue Indigo, 2 pounds
Books, Med., 3 vols.
Blank, 8 vols.
Check, 1 vol.
Beef, Fresh, 36,998 pounds
Dried, 82 pounds
Tongues, 12
Binding, Shoe, 12 pounds
Brick, 6,300
Coffee, 3,865 pounds
Cloth, Broad, 6 yards
Cloth, Oil, 6½ yards
Chocolate, 600 pounds
Cassinett, 48 yards
Caps, Boys', 38
Crackers, Water, 772 pounds
Soda, 276 pounds
Candles, 790 pounds
Coal, Smith's, 50 bushels
Coal, Anthracite, 255 tons
Cotton, Sewing, 14 pounds
Spool, 3 dozen
Darning, 1 pound
Raw, 673 pounds
Combs, 32 dozen
Charcoal, 272 bushels
Cork, ½ pound
Chairs, Students', 8
Check, 2 pieces
Copperas, 37 pounds
Calico, 59 yards
Coffee Mills, large, 1
Canvass, 20 yards
Castors, 6 setts
Cocoa, 12 pounds
Chickens, for sick, 5 dozen
Carpeting, 106 yards
Diaper, 54 yards
Towels, 1 dozen
Drawers, Men's, 11 pairs
Files, 69
Flannel, Wool, 50 yards
Cotton, 114 yards
Flour, for family, 16 barrels
for house, 244 barrels
Glue, 9 pounds
Glass, 1½ box
23 lights
Gin, for med. purposes, 6 gals.
Generator, Steam, 2
Gimblets, Spike, 2
Herrings, 28 barrels
Hats, Men's, 51
Hops, 89 pounds
Halters, 5
Horse, 1
Hinges, 24
Iron, Bar, 551 pounds
Iron, Rod, 168 pounds
Iron, Hoop, 130 pounds
Knobs, Desk, 9
Knives and Forks, 8 dozen
Carving, 6 pairs
Leather, Sole, 961 pounds
Upper, 35 sides
Harness, 2 sides
Locks, Foot, 12
Pad, 8

Locks, House, 12
Linen, 100 yards
Logwood, 20 pounds
Lead, Black, 5 pounds
White, 2 kegs
Lard, Hog's, 424 pounds
Leeches, 37 dozen
Lumber, 5,585 feet
Lime, 3,515 bushels
Lamb, 21 quarters
Lasts, Shoe, 12
Molasses, 1,590 gals.
Muslin, 3,731 yards
Mustard, 115 pounds
Mutton, for house, 23,310 pounds
for family, 489 pounds
Medicines, amounting to $872 30
Meal, Corn, 300 pounds
Mounting, Harness, 2 setts
Nails, 747 pounds
Needles, Sewing, 21 papers
Knitting, 6 setts
Nutmegs, 8 pounds
Netting, Green, 21 yards
Oil, Lamp, 457 gals.
N. Foot, 9 gals.
Linseed, 5 gals.
Osnaburgs, 70 yards
Pins, 7 packs
Pepper 234 pounds
Pitchers, Stone, 30
Peas, 6 bushels
Pencils, 2 dozen
Paper, Sand, 2 quires
Writing, 3 reams
Wrapping, 7 reams
Pork, Prime, 2 barrels
Pantaloons, 103 pairs
Pegs, Shoe, 13 quarts
Porter, for med. purposes, 44 bottles
Papering, three rooms, cost $35
Queensware, $68
Quills, 725
Rice Flour, 30 pounds
Rice, 10,511 pounds
Roundabouts, 73
Rivets, Tin, 1000
Rat Traps, 4
Snuff, 500 pounds
Sugar, Brown, 15,095 pounds
White, 911 pounds
Salt, 17 bushels
29 sacks
Seive, Wire, 1
Stone, Grind, 1
Sattinett, 68½ yards
Soap, Brown, 1,894 pounds
Country, 3,649 pounds
Sago, 14 pounds
Spoons, Table, 1 gross
Snuffers, 1 dozen
Starch, 87 pounds
Silk, Saddler's, ½ pound
Sewing, ½ pound
Spring, Carriage, 1
Splint. Smith's, 1
Square, Iron, 1
Syringe, Anatomical, 1
Shirts, 3
Socks, 35 pairs
Saws, Wood, 2
Spriggs, 4,000
Shoes, 38 pairs
Screws, 5½ gross
Stove, large, 1
Tobacco, 1,079 pounds
Tin, X X, 4 boxes
Tar, 1 barrel
Tea, for family, 20 pounds
for house, 1,008 pounds
Tumblers, 3 dozen
Tape, 1 gross
Tapioca, 9 pounds
Timothy Seed, 7 bushels
Tubs, 8
Tools, Shoe, 2 setts
Turpentine, Spirits, 2 gals.
Varnish, 1 gal.
Vermillion, 1 ounce.
Vinegar, 242 gals.
Veal, 601 pounds
Vests, 4
Wine, S. M., for med. purposes, 52 gals.
Wine, Port, for med. purposes, 69 gals.
Whiskey, for med. purposes, 71 gals.
Wire, 51 pounds
Wheels, Spinning, 6
Wood, Pine, 20 cords
Oak, 300 cords
Whiting, 30 pounds
Wheat, 2,756 bushels

[K]

STATEMENT

Showing the products of the Farm from the 1st of January to the 31st of December, 1844, inclusive.

881	bushels	Wheat, valued	at	$1 00	$881 00
25	do	Buck Wheat,	at	1 00	25 00
1,300	do	Corn,	at	50	650 00
1,237	do	Oats,	at	33	408 21
572	do	Turnips,	at	37½	214 50
2,028	do	Potatoes,	at	55	1,115 40
95	do	Parsnips,	at	75	71 25
53	do	Carrots,	at	1 00	53 00
160	do	Green Beans,	at	50	80 00
35	do	Onions,	at	1 00	35 00
112	do	Beets,	at	50	56 00
358	do	Sprouts,	at	50	179 00
27	do	Peas,	at	75	20 25
10	do	Shelled Beans,	at	1 00	10 00
335	do	Tomatos,	at	50	167 50
1,533	do	Cut Straw,	at	3	47 49
31,173	heads	Cabbages,	at	3½	1,091 05
1,430	do	Lettuce,	at	6	85 80
56	bunches	Rhubarb,	at	12	6 72
182	do	Green Onions,	at	3	3 24
183	do	Asparagus,	at	12	21 96
272	do	Radishes,	at	3	8 16
796	do	Celery,	at	10	79 60
151	do	Squashes,	at	6	9 06
41	do	Cucumbers,	at	3	2 46
88	do	Green Corn,	at	10	8 80
19	dozen	Peppers,	at	20	3 80
85	tons	Hay,	at	12 00	1,020 00
13,844	lbs.	Pork,	at	4	553 76
880	do	Beef,	at	3	26 40
134	do	Beef Hides,	at	4	5 36
788	do	Butter,	at	25	197 00
17		Calves,	at	3 50	59 50
160¾	gals.	Cream,	at	50	80 37½
987¼	do	New Milk,	at	25	246 81
2,412¼	do	Skimmed Milk,	at	12½	301 50
290	do	Butter Milk,	at	6¼	18 12
	Total,	. . . .			$7,843 14

[L]

STATEMENT

Showing the extra work done under the direction of the Farmer from the 1st of January to the 31st December, 1844, inclusive.

206	loads stone hauled on road, valued at 25 cents per load,	$51 50
206	do do broke and levelled on do at 25 cts. per load,	51 50
3,050	bushels Lime hauled from Baltimore, for agricultural purposes, at 4 cents,	122 00
465	bushels Lime hauled from Baltimore, for building, at 4 cents,	18 60
3,050	bushels Lime spread on the farm, at 3 cents,	91 50
62	days puddling and cleaning Mill race, at 50 cents,	31 00
25	days cleaning and sinking Tail race, at 50 cents,	12 50
530	pannel fence set, at 10 cents,	53 00
1,000	rails, cut and mauled, at 1¼ cents,	12 50
150	posts do do and morticed, at 8 cents,	12 00
445	loads building stone, hauled,	110 25
140	loads ice, cut, hauled and filled, at 50 cents,	70 00
25	days Millwright work, at $1 00,	25 00
174	days Carpenter work, cutting, hewing, framing, shingling, &c., straw barrack and shed, at 75 cents,	130 50
75	days Wheelwright's work, making and repairing utensils, at 75 cents,	56 24
1,000	rails, painted, at 1¼ cents,	12 20
24	days ditching, at 50 cents,	12 00
4	loads brick, hauled from Baltimore, at $1,50 cents,	6 00
28	days Mason work, building stone pillars and other repairs, at $1 00,	28 00
6	gate posts, cut and hewed and set,	3 00
50	days digging and removing earth at hog yard, at 50 cts.	25 00
160	loads sand, for building and paving, at 25 cents,	40 00
60	days cutting and clearing fence rows and ditches, &c., at 30 cents,	18 00
250	days Carpenter's work, at stabling and piggery, at 75 cts.	187 50
20	days hewing timber and building bridge, at 75 cents,	15 00
7	days hauling timber from woods for barrack bridge and hog pen,	7 00
100	pannel plank, rail fence set,	10 00
30	loads stone hauled for paving, at 25 cents,	7 50
150	days Mason work at stable, at $1 00,	150 00
270	days finding Masons and Pavers, at 50 cents,	135 00
3,542	bushels Wheat, ground in Mill, at 8 cents,	283 36
336	do Corn, do do at 6 cents,	20 16
		$1,808 11

[M]

Table showing the Medical and Surgical cases treated in the Alms House, from the 1st January to the 31st December, 1844, inclusive.

DISEASES.	Admitted.	Cured.	Relieved.	Died.	Remaining.
Abscess, common,	15	14		1	
Mammary,	2	2			
Lumbar,	1				1
Hepatic,	2			2	
Amenorrhœa,	12	12			
Apoplexy,	6		3	3	
Arachnitis,	3	2		1	
Aneurism,	3			1	2
Bronchocele,	3		3		
Bronchitis,	40	34		2	4
Burns,	4	4			
Blepharitis,	10	8			2
Cancer of Breast,	2		1		1
Stomach,	4			2	2
Prostate,	1			1	
Catarrhus Senilis,	11	4	4	3	
Cholera Infantum,	8	8			
Cholera Morbus,	11	11			
Chlorosis,	3	2	1		
Colitis, Acute,	56	43		13	
Chronic,	17	13		4	
Conjunctivitis	9	7	2		
Contusions,	14	14			
Colic,	16	16			
Chorea,	2				2
Cynanche Tonsillaris,	3	3			
Cystitis,	2	2			
Conjestion of Brain,	1	1			
Delirium Tremens,	30	27		1	2
Diabetes Mellitus,	1			1	
Dislocations,	3	3			
Duodenitis,	1			1	
Dysmenorrhea,	3	3			
Emphysema,	7		2	3	2
Endocarditis,	16		4	8	4
Enteritis,	33	33			
Erysipelas,	6	5		1	
Eczema,	5	3	2		
Epilepsy,	13		3	4	6
Fever, Scarlatina,	3	3			
Typhoid,	5	3		2	
Simple and Malig. Remitt,	44	32		12	
Intermittent,	44	44			
Puerperal,	12	10		2	
Fractures, Simple,	12	12			
Comminuted,	7	3		4	
Gangrene, Senilis,	3		2	1	
Spontaneous,	2	2			
Gastritis, Acute,	4	4			
Chronic,	12	1	5		6
Gastro Enterite,	11	8		3	
Gonorrhæa,	16	16			
Hæmorrhoids,	19	10	9		
Hepatitis Chronic,	2	2			
Herpes,	5	4	1		
Hypertrophy of Heart,	7		7		

DISEASES.	Admitted.	Cured.	Relieved.	Died.	Remaining.
Hysteria,	8	8			
Hypocondriasis,	5		5		
Hydrocele,	1	1			
Icthyosis,	1				1
Impetigo,	2	1	1		
Iritis,	4	4			
Laryngitis, Acute,	2	1		1	
Leucorrhea,	30	30			
Lichen,	9	9			
Lumbago,	4	2	2		
Meningitis,	4	1		3	
Monomania,	9		9		
Metritis,	5	5			
Menorrhagia,	6	6			
Morbus Coxarius,	1			1	
Morbus Brightii,	1			1	
Morbus Ceruleus,	2			2	
Myelitis,	3	2		1	
Mania,	14	2	9		3
Narcotism,	2	2			
Nephritis,	2	2			
Noli Me-Tangere,	1				1
Neuralgia,	15	8	6		1
Onanism,	2		1		1
Otitis,	9	7	2		
Opthalmia, Strumous.	28	24	3		1
Old Age,	11			6	5
Pernio,	12	10			2
Paralysis,	11	1	5		5
Phthisis,	83		7	57	19
Paronychia,	2	2			
Parotitis,	2	2			
Prolapsus Uteri,	12	2	10		
Pleurisy, Acute,	10	10			
Chronic,	22	11		9	2
Pneumonia,	42	25		15	2
Peritonitis, Acute,	2			2	
Chronic,	1			1	
Pericarditis,	8	4	2	2	
Porrigo,	2	2			
Prurigo,	1	1			
Psoriasis,	3	2			1
Ramolissement Cerebral,	2			2	
Rheumatism, Acute,	54	35	14		5
Chronic,	62	4	35		23
Syphilis Primary,	42	32	6		4
Secondary,	28	19	3		6
Tertiary,	15	7	3		5
Sclerotitis,	9	9			
Sycosis Mentagra,	3	3			
Scrofulous Swelling of Knee Joint,	2		2		
Sprains,	12	12			
Stricture of Uretha,	5		3		2
Sciatica,	1				1
Stomatitis,	38	38			

DISEASES.	Admitted.	Cured.	Relieved.	Died.	Remaining.	DISEASES.	Admitted.	Cured.	Relieved.	Died.	Remaining.
Temulentia, . .	192	186			6	Vaccination, . .	50	50			
Tracheitis, . .	4	4				Wounds, Incised, .	9	9			
Tabes Mesenterica, .	8			8		Lacerated, .	5	5			
Tinea capitis, . .	4	3	1								
Ulcers, . . .	163	117	22		24	Total, . .	1698	1159	207	187	151
Varicose Veins, .	9		7		2						

LYING IN DEPARTMENT.

Children Born, ...	29
Full Term, ...	28
Still Born, ...	1

SURGICAL OPERATIONS.

Amputation of Thigh, ...	1
" " Breast, ...	1
Tracheotomy, ...	1
Paracentesis thoracis, ...	1
" Abdominis, ...	8
Minor Operations, ...	54
Delivery with the Forceps, ...	1

BALTIMORE, January 1st, 1845.

To the Trustees

Baltimore City and County Alms House:

The subscribers, in handing you the annual report, feel gratified to find the general bill of mortality less than that of the previous year, notwithstanding the admissions are larger. This pleasing result is not claimed, however, as the effect of skillful practice, for the calls of humanity have been responded to in a most gratifying and useful manner throughout the establishment. But the management of the children's department merits particular comment. The change of diet, exercise, &c. recommended and observed during the heat of summer was well calculated to lessen mortality and ward off disease. The good effects of the course adopted were soon manifested. The records prove that in July, August and September, 1843, sixteen children died, and only five during the corresponding period of the past year.

We hope the benefits thus shown to accrue among the most interesting and innocent portion of the inmates would alone be regarded as a sufficient return for the slight additional cost and trouble encountered. Respectfully,

ALEX. CLENDINEN,
ALEX. C. ROBINSON,
Visiting Physicians.

[N]

TABLE

Showing the comparison of the numbers in, and expenses of the Alms House, from 1834 *to* 1844, *inclusive.*

The fiscal year of the Alms Honse formerly ended on the 30th of April of each year.

For the year ending 30th April, 1834, the number admitted was 5409,—City's expenses,	$15,656 05
County's expenses,	3,986 47
For the year ending 30th April, 1835, the number admitted was 6104,—City's expenses,	18,259 49
County's expenses,	4,754 92
For the year ending 30th April, 1836, the number admitted was 5914,—City's expenses,	22,050 53
County's expenses,	4,614 58
For the year ending 30th April, 1837, the number admitted was 6058,—City's expenses,	25,241 65
County's expenses,	4,810 55
For the year ending 30th April, 1838, the number admitted was 5876,—City's expenses,	23,324 73
County's expenses,	4,486 17
For the year ending 30th April, 1839, the number admitted was 5823,—City's expenses,	25,376 68
County's expenses,	4,364 07

The fiscal year was made from this period upon 31st of December.

For the 8 mos. ending 31st December, 1839, the number admitted was 3759,—City's expenses,	18,508 67
County's expenses,	3,321 72
For the year ending 31st December, 1840, the number admitted was 6156,—City's expenses,	24,539 80
County's expenses,	4,946 25
For the year ending 31st December, 1841, the number admitted was 6213,—City's expenses,	21,269 36
County's expenses,	4,173 36
For the year ending 31st December, 1842, the number admitted was 6385,—City's expenses,	18,461 08
County's expenses,	3,226 01
For the year ending 31st December, 1843, the number admitted was 6863,—City's expenses,	17,473 99
County's expenses,	2,989 48
For the year ending 31st December, 1844, the number admitted was 6731,—City's expenses,	19,634 70
County's expenses,	3,135 20

City Paupers admitted 1843, 5562—average per month, 463 6-12.
County do. do. 1843, 368 do. do. 30 8-12.
City Paupers admitted 1844, 5683—average per month, 473 7-12.
County do. do. 1844, 425 do. do. 35 5-12.
Non-resident Paupers admitted 1843, 933—average per month, 77 9-12.
Do. do. do. 1844, 623 do. do. 51 11-12.

REPORT

OF

THE VISITORS OF THE JAIL

OF

BALTIMORE CITY AND COUNTY.

To the Mayor and City Council of Baltimore:

GENTLEMEN,

In obedience to the provisions of an act of the General Assembly, passed at December session 1831, chapter 58, the Board of Visitors of the Jail of Baltimore city and county present their annual report.

The receipts and expenditures for the year, beginning the 27th of November 1843, and ending the 26th November 1844, are stated in the annexed account of the Warden, marked A.

The daily number of prisoners, averaging the number committed and the number remaining in jail each morning, is 120.

The whole expenses of the jail, including the necessary repairs, are - - - -		$8,755 26
The proportion of this expense incurred on account of Baltimore city, is - - -		7,715 90
The city's proportion of fees received at the jail, is - - - - - -	$1,766 03	
Money received from licenses to retailers of spirituous liquors, - - - -	1,046 44	
Leaving the actual demand to be met by monies collected from taxes on the assessable property of the city, - - -	4,903 43	
		7,715 90

We herewith hand you a statistical table, marked B, which shows the number of prisoners committed (2006) and the offences with which they were charged; also a table marked C, which shows the monthly or daily average number of prisoners in jail each morning, and the daily costs of subsistence of the average number committed and those in jail each morning, likewise a table marked D, which shows the

number of debtors and other prisoners committed, how they were discharged, and how many remained in jail, &c.

Owing to the large increased number of prisoners, the expenses have proportionably increased during the present year. You will please appropriate $5000 as the city's proportion of the expenses for the ensuing year.

By reference to the last annual report, it will be seen, that of the appropriation for the year 1843, there remained undrawn in the hands of the City Register $1000 in consequence of said amount not having been paid to the former or present Warden, but was by the Register passed to the credit of the general fund of the city; it has been found necessary to draw for the whole amount of this years appropriation of $5000, and after paying the expenses for the current year, leaves a balance in hand of $894 06.

We would again respectfully call your attention to the necessity of a house of refuge, wherein juvenile offenders against the laws may be confined until reclaimed.

We are happy to state, that during the present year, the prison under the care and management of Mr. Daniel Steever, Warden, and assistants, has been kept in as good condition as at any former period.

The report of the attending Physician, Dr. Dion Downs, shows that during the present year he has had under his care 779 patients, none of which have died.

Upon reference to the accompanying tables, you will perceive gentlemen, that great economy has characterised the financial affairs of the jail during the past year.

Respectfully submitted,

THOS. KELSO,
WILLIAM GRUBB,
EM'L T. J. WOODWARD,
ELI LILLY,
JOHN B. HOLMES,
EDW'D J. RICHARDSON,
WM. CHESNUT.

December, 20, 1844.

[A]

Dr. *Expenses of Baltimore City and County Jail, for twelve months, ending November 26, 1844.* Cr.

To subsistence of Warden's family, officers, sick, and debtors who pay private board,	$1,147 05		By balance as per report, November 26, 1843,		$797 49
Subsistence of prisoners,	1,397 40		Do Civil Docket,	$472 68	
Officers' salaries,	3,523 00		Do City do	853 44	
Incidental expenses,	988 67		Do County do	40 58	
Fuel,	705 62		Do Runaway do	251 66	
Eastern Dispensary,	250 00		Do Accom. do	175 07	
	$8,011 74		Do U. States do	133 25	
				$1926 68	
Eleven-twelfths chargeable to Baltimore city,		$7,344 14	Eleven-twelfths appertaining to Baltimore city,		1,766 03
Whole amount of repairs,	743 52		Cash this year's levy,		5,000 00
	$8,755 26		License money,		1,046 44
One-half chargeable to Baltimore city,		371 76			$8,609 96
To balance,		894 06	By balance,		$894 06
		$8,609 96			

Respectfully submitted,

DANIEL STEEVER, *Warden.*

[B]

TABLE

Shewing the number of Persons committed for various causes during the year ending November 26th, 1844.

CAUSES.	WHITE.					COLORED.							
	Men.	Women.	Boys.	Girls.	Total.	Men.	Women.	Boys.	Girls.	Total.	From city.	From county	Grand Total.
Debtors,	271				271	71				71	330	12	342
Peace warrants,	255	44			299	89	85			174	467	6	473
Assaults and battery,	191	18			209	53	21			74	277	6	283
Felony,	123	16			139	76	42			118	246	11	257
Murder,	23				23	1	1			2	24	1	25
Receiving stolen goods,	8				8	1				1	9		9
Rioting,	48				48	22				22	70		70
Passing counterfeit money,	8				8						8		8
Obtaining goods on false pretences,	7				7						6	1	7
Assault with intent to kill,	13				13	5				5	16	2	18
Violating city ordinances,	41				41	9				9	50		50
Fugitives from justice,	7				7	1				1	8		8
Burglary,	22				22	8				8	24	6	30
Forfeiting recognizances,	5				5						5		5
Keeping disorderly houses,	10				10	6				6	16		16
Selling without license,	6				6	1				1	7		7
Fines and costs,	109	16			125	9	7			16	131	10	141
Witnesses,	12	3			15	3	1			4	19		19
Perjury,	1				1	1				1	2		2
Arson,	3				3	1				1	4		4
Bastardy,	7				7	3				3	10		10
Forgery,	4				4						4		4
Contempt of magistrate,	2				2						2		2
Safe keeping,	1				1	16	12	6	1	35	12	24	36
Runaways,			2		2	64	31	3		98	81	19	100
Aiding runaways to escape,	1				1	5	3			8	8	1	9
Absconding seamen,	22				22	2				2	24		24
Conspiracy,	1				1						1		1
Illegal voting,	24				24						24		24
Poisining,		1			1		2			2	3		3
Swindling,	3				3						3		3
Gambling,	4				4	12				12	16		16
	1232	98	2		1332	459	205	9	1	674	1907	99	2006

[C]

TABLE

Showing the monthly or daily average number of prisoners in Baltimore City and County Jail, for the year ending Nov. 26, 1844.

1843. December,	Average from city,		60	Average from county,		9	Total,	69
1844. January,	do	do	75	do	do	11	"	86
February,	do	do	71	do	do	9	"	86
March,	do	do	42	do	do	9	"	51
April,	do	do	56	do	do	10	"	66
May,	do	do	52	do	do	3	"	55
June,	do	do	65	do	do	2	"	67
July,	do	do	70	do	do	2	"	72
August,	do	do	76	do	do	5	"	81
September,	do	do	81	do	do	4	"	85
October,	do	do	79	do	do	5	"	84
November,	do	do	66	do	do	6	"	72
		12)	799		12)	75	12)	874
			$66\frac{7}{12}$			$6\frac{3}{12}$		$72\frac{10}{12}$

STATEMENT *of the cost of subsistence for the daily average of* 120 *prisoners, having regard to the number committed and the number remaining in Jail each morning; also the cost of each prisoner's subsistence per day.*

365) 1,397 40 ($3.87 per day for the average of 120 prisoners.

120) 3.87 ($3\frac{27}{120}$ cents for each prisoner's food per day.

[D]

TABLE

Showing the number of Debtors and other Prisoners committed, and how discharged, for the year ending Nov. 26th, 1844.

Whole number of debtors committed,			342
Discharged by creditor or attorney,		106	
" Commissioners of insolvent debtors,		165	
" Creditor not paying maintenance,		42	
" Paying debt, costs and jail fees,		26	
Remaining in jail, November 26, 1844,		3	
Whole number of prisoners other than debtors,			1664
Sent to the Penitentiary,	white,	30	
" "	colored,	21	
Discharged by courts and magistrates,		1541	
Remaining in jail November 26, 1844,		72	
		2006	2006

MEMBERS OF THE CITY COUNCIL,

THEIR CLERKS, AND

OFFICERS OF THE CORPORATION

OF THE

CITY OF BALTIMORE,

FOR THE YEAR 1845.

JACOB G. DAVIES, *Mayor.*
JESSE HUNT, *Register,*
JACOB YUNDT, *Deputy Register.*
HENRY A. HUNT, *Clerk to Register.*
V. H. KALKMAN, *Secretary to the Mayorality.*

Members of the First Branch of the City Council.

Hugh A. Cooper, John W. Croney,	*First Ward.*
David W. Hudson, James Fields,	*Second Ward.*
John H. Hall, Thomas Hynes,	*Third Ward.*
T. Yates Walsh, Joseph Breck,	*Fourth Ward.*
Samuel Harker, Dr. W. T. Leonard, Sr.*	*Fifth Ward.*
Joshua J. Turner, Henry Staylor, Sr.	*Sixth Ward.*

* Resigned May 2, 1845.

John H. Kennedy, George Reilly,	*Seventh Ward.*
F. J. Dallam, R. Purviance,	*Eighth Ward.*
John S. Brown, Wm. J. Page,	*Ninth Ward.*
Wm. S. Browning, Geo. C. Addison,	*Tenth Ward.*
C. G. Ridgely, John Green,	*Eleventh Ward.*
Alexander Russell, Cyrus Gault,	*Twelfth Ward.*
George Suter, Richard Marley,	*Thirteenth Ward.*
William Barnet, Henry Snyder,*	*Fourteenth Ward.*

GEO. P. WOODWARD, *Chief Clerk.*
PEREGRINE GORSUCH, *Asisstant Clerk.*
JOHN LINGENFELTER, *Door Keeper.*

Members of the Second Branch of the City Council.

Henry R. Louderman,	*First Ward.*
John E. Stansbury,	*Second Ward.*
Samuel Boyd, Sr.	*Third Ward.*
Samuel Barnes,	*Fourth Ward.*
Hugh Bolton,	*Fifth Ward.*
Robert Howard,	*Sixth Ward.*
Michael Caughy,	*Seventh Ward.*
Dr. S. Collins,	*Eighth Ward.*
Wm. J. Wight,	*Ninth Ward.*
John L. Reese,	*Tenth Ward.*
Francis Foreman,	*Eleventh Ward.*
Dr. James Esender,	*Twelfth Ward.*
Wm. Baker,	*Thirteenth Ward.*
B. H. Richardson,	*Fourteenth Ward.*

A. H. PENINGTON, *Clerk,*
ELIJAH R. SINNERS, SR. *Door Keeper.*

* Resigned Feb. 26, 1845.

Commissioners of Finance.

Jacob G. Davies, Solomon Hillen, Jr.—vice
William Krebs, L. W. Gosnell resigned.

Directors on the part of the City in the Baltimore and Susquehanna Rail Road Company.

James O. McCormick, James Wilson.

Directors on the part of the City, in the Baltimore and Ohio Rail Road Company.

James Carroll, Joseph White,
James George, Jacob Heald,
James Lucas, T. Parkin Scott,
W. F. Giles, John Dushane.

Commissioners of Public Schools.

John W. Randolph,	*First Ward.*
James C. Wheeden,	*Second Ward.*
Edward Slicer,	*Third Ward.*
Alexander Kirkland	*Fourth Ward.*
Henry S. Sanderson,	*Fifth Ward.*
Reuben S. Bowie,—vice F. Dobler, resigned,	*Sixth Ward.*
John Wilson,	*Seventh Ward.*
Dr. J. R. W. Dunbar,	*Eighth Ward.*
John N. McJilton,	*Ninth Ward.*
Michael Toner,	*Tenth Ward.*
Charles M. Keyser,	*Eleventh Ward.*
J. B. Emory,	*Twelfth Ward.*
David Irelan,	*Thirteenth Ward.*
Wm. F. Frick,	*Fourteenth Ward.*

Commissioners on the Bequest of the late Henry Peters.

Joseph Brown, John Feast,
James S. Wilson.

Directors on the part of the City, in the Baltimore and Chesapeake Steam Towing Company.

William Bose, William Mason,
Hugh Jenkins.

Visitors of the Jail of Baltimore City and County.

William Fusselbaugh, James Girvin,
John B. Seidenstricker, John Dukehart, Jr.

Trustees of the Poor.

H. Willis Baxley, William Wilson,
George Law,—vice R. C. Wright, resigned,
David C. Springer.

Distributors of the Fund for the benefit of the Widows and Orphans of those who fell in the defence of the City.

John Reese, Samuel Moore.

Benjamin C. Presstman,	*City Counsellor.*
Henry Snyder,	*City Collector,*
George S. Sanderson,	*Book Keeper.*
Alexander White,	*do. do.*
Samuel Kirk,	*Clerk.*
Daniel Bender,	*do.*
Wm. B. George,	*do.*
James McNeal,	*do.*
Oliver Wood,	*do.*
Henry Snyder, Jr.	*do.*

Ward Managers of the Poor.

William Colton,	*First Ward.*
Edward Thompson,	*Second Ward.*
James Hooper,	*Third Ward.*
John R. Diggs,	*Fourth Ward.*
Samuel Rankin,	*Fifth Ward.*
Christopher Medinger,	*Sixth Ward.*
William H. Cole, Sr.	*Seventh Ward.*
Charles F. Cloud,	*Eighth Ward.*
Daniel Swartzauer,	*Ninth Ward.*
Michael Toner,	*Tenth Ward.*
Charles Towson,	*Eleventh Ward.*
Isaac McCurley,	*Twelfth Ward.*
J. W. Watkins,	*Thirteenth Ward.*
Samuel M. Murray,	*Fourteenth Ward.*

Daniel H. Lawrence, *Health Officer.*

Board of Health.

James Peregoy, *Health Commissioner.*
Dr. W. T. Leonard, *City Physician.*
Dr. D. H. Lawrence, *Health Officer.*

Arbitrators upon the Inspection of Sole Leather, Rough Harness, and Rough Skirting Leather.

Thomas Sewell, Elmer Hewitt,
Mark Jenkins,

Arbitrators upon the Inspection of Green Hides and Skins.

Francis Hoover, *Butcher.*
A. Startzman, *Tanner.*
John Q. Hewlett, *Dealer in Leather.*

Reviewers of Flour.

MERCHANTS.

Abraham Buckwalter, Samuel Stonebraker.

MILLERS.

William Wierman, Galloway Cheston.

BAKERS.

George W. Arnold, John Smith.

Commissioners for Opening Streets.

Anthony Miltenberger, Henry Myers,
John Dushane.

Assessors of Tax.

J. Smith Hollins, Joseph Brown.

Appeal Tax Court.

Joseph Brown, J. Smith Hollins,
Henry Snyder.

City Commissioners and Wardens of the Port.

Richard C. Murray, A. R. Blakeney,
Talbott Gosnell.

Thomas Hellen, *Harbor Master—1st District.*
Nicholas B. Pritchard, *do. do. 2d District.*
John K. Carroll, *do. do. 3d District.*
Samuel Thomas, *do. do. 4th District.*

Inspectors of Butter and Lard.

Jacob Stouffer,	Adam Seltzer.
James Lawson,	*Inspector of Beef and Pork.*
Samuel D. Kirby,	*do. Weights and Liquid Measures.*
Samuel Mass,	*do. Long and Dry Measures.*
George Kenly,	*do. Charcoal.*
Joseph Campbell,	*Keeper of Calvert street Spring.*
David Nicholls,	*do. Charles street Spring.*
Thomas Lamdin,	*do. Eastern Spring.*
Alexander Russel, Sr.,	*do. Gunpowder.*
Samuel Steele,	*Assayer of Silver Plate.*
Andrew Simpson,	*Keeper of Public Walk.*
George W. King,	*Clerk of Centre Market.*
Elisha Randall,	*Assistant Clerk of Centre Market.*
Thomas Elliott,	*Clerk of Lexington Market.*
George P. Gold,	*Assistant Clerk of Lexington Market.*
George M. Smith,	*Clerk of Hanover Market.*
Richard R. Bishop,	*Clerk of Fell's Point Market.*
Richard Maulseed, Sr.	*Clerk of Richmond Market.*
George Ebbart,	*Clerk of Hollins Street Market.*
Henry Yeater,	*Clerk of Bel-Air Market.*
Mordecai Kenedy,	*Keeper of Cow Market.*

Thomas Gifford,	*High Constable.*
Amon Duvall,—vice	
James H. Denson,	*General Police Officer.*

City Bailiffs and Police Officers.

Henry P. Ruley,	*First Ward.*
Henry S. McDonald,	*Second Ward.*
John Ray,	*Third Ward.*
James League,	*Fourth Ward.*
Thomas Knighton,	*Fifth Ward.*
Richard Taylor,	*Sixth Ward.*
Robert Moore,	*Seventh Ward.*
Andrew J. Keller,	*Eighth Ward.*
Henry Chisholm,	*Ninth Ward.*
Joseph Fleischell,	*Tenth Ward.*

Richard C. Gross,	*Eleventh Ward.*
Isaasc H. Merchant,—vice William Heustis,	*Twelfth Ward.*
John H. Barnard,	*Thirteenth Ward.*
Philip Fuller,	*Fourteenth Ward.*

Additional Police Officers.

Daniel Myers,	Cornelius Lambert,
Emanuel Stockett,	James Taylor,
James Pamphilon,	William Moon.

Superintendents of Chimney Sweeps.

Thomas Wilender,	*First District.*
Benjamin O. Hatchinson,	*Second District.*
William Phillips,	*Third District.*
George W. Long,	*Fourth District.*
Alexander Ager,	*Fifth District.*
Thomas Hennix,	*Sixth District.*
Hugh S. Orem,	*Seventh District.*
John Kennedy,	*Eighth District.*
Nicholas Thrush,	*Ninth District.*
Levi Hampton,	*Tenth District.*
William Faithful,	*Eleventh District.*

Justices of the Peace to receive the Reports of the Night Watch.

John Wright,	*Western District.*
T. Hanson Belt,	*Middle District.*
Thomas W. Brotherton,	*Eastern District.*

Captains of the Night Watch.

Thomas G. Richards, Charles Peregoy,	*Western District.*
Seth Pollard, Thomas Bottimore,	*Middle District.*
William Costigan, Samuel White,	*Eastern District.*
George B. Sumwalt, John Dobbin,	*Southern District.*

Lieutenants of the Night Watch.

Archibald G. Ridgely, Joseph Carson, George W. Smith, Thomas McGlennan,	*Western District.*
Hugh Kennedy, James Scott, George R. Campbell, Thomas S. Austin,	*Middle District.*
Theophilus Bangs, Charles R. Potter, James F. Frazier, Charles Fox,	*Eastern District.*
Joseph Evans, William Fisher, Samuel Norris, J. W. Saumenig,	*Southern District.*

City Bailiffs.

Charles F. Miller,	*First Ward.*
James G. White, John C. Maydwell,	*Second Ward.*
John Cunningham, Alexander Thompson,	*Third Ward.*
John P. Youce,	*Fourth Ward.*
James Shaw, Thomas Quinn,	*Fifth Ward.*
Elijah R. Sinners, Sr. L. B. Krein,	*Sixth Ward.*
George Mallonee, Peter P. Potee,	*Seventh Ward.*
Conrad Eberhard, Henry Sullivan,	*Eighth Ward.*
Charles Scott,	*Ninth Ward.*
	Tenth Ward.

Henry B. Gray,	*Eleventh Ward.*
William Patterson, Henry White,	*Twelfth Ward.*
Charles Schwatka, Henry W. Small,	*Thirteenth Ward.*
Peter Kreis,	*Fourteenth Ward.*

General City Bailiffs.

William A. Disney,	John Huzza,
John Maydwell,	John C. Hennick,
Samuel Keplinger,	George Pownall,
Ross T. Pennington,	Edward C. Taylor,
Jacob Stahl, Jr.	Charles H. L. Jackson,
Charles Swick,	William J. King,
Michael Schuck,	William A. Bombarger,
William Higgins,	Sewell F. Lane,
John Demuth,	Mordecai Kennedy,
Jacob Wellslager,	William Barnet,
Augustus C. Clements,	John C. Jolly,
Edward W. Bennett,	J. G. Smith,
John Brannan,	David White,
Lindsey Sturgeon,	Walter Jones.

A. I. W. Jackson, *Superintendent of the Alms-House of Baltimore City and County.*

Drs. Samuel Annan, and William Power, } *Visiting Physicians.*

S. D. Tonge, *Clerk.*

John Murray, *Farmer.*

Mrs. M. J. Beckett, *Matron.*

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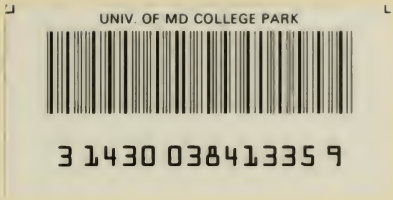
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